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THE
METROPOLITAN
TRAFFIC MANUAL,

CONTAINING

*The Law relating to Road, River and Air Traffic
in London and elsewhere.*

BY

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55532

OF THE INNER TEMPLE AND SOUTH-EASTERN CIRCUIT,

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PREFACE.

THIS book is written in order to state the law concerning traffic in the Metropolitan Police District and the City of London. To do this it is necessary to give the general laws of traffic on highways and airways which obtain throughout England.

This book, therefore, includes the law concerning traffic both within and without the Metropolitan Police District and the County of London.

Since it is primarily concerned with the London area, the particular bye-laws and local statutes and regulations for that area are included, together with the details of weights allowed on bridges, level crossings, and other incidents of the highways in the London area.

The abstract of the law affecting public carriages in the Metropolitan Police District, which is given to the licensed drivers and conductors of such carriages, is printed as an Appendix.

A certain duplication of matter between the body of this book and the Appendix is unavoidable, and certain portions of the Metropolitan Police Guide are reproduced in this book.

The Table of Contents and the Introduction show the general plan of the book.

Numerous cross-references will be found in the notes, and these can be supplemented by the use of the Index and the Table of Cases.

The difficulty of presenting any arrangement of the first part of this book which is at the same time simple and logical is caused by the confusion of areas. Certain of the statutes and regulations dealt with apply to the whole country, others may apply to the City of London or the Metropolis, or the Metropolitan Police District, or the City of London plus the Metropolitan Police District, or may exclude one of these special areas.

Where a statute is limited in its application this fact is noted either in the Table of Contents or in the text. The definitions which are given in the Introduction, and the maps which are contained in this volume, should be consulted, so as to determine which statute is appropriate to any particular case.

CARROL ROMER.

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August, 1922.

INTRODUCTION.

THE general and complete right of a subject to pass along a highway may be limited by GENERAL and LOCAL RULES controlling the use and passage of vehicles and animals on highways.

This book is concerned with these rules which make up the subject of Traffic.

For example, rules regulating motor traffic limit the right to use these vehicles on highways, other rules limit the right to drive cattle on highways. With such rules this book is concerned. The subject of highways in general, and in particular the subject of the repair of highways and power to break up streets, &c., is not dealt with, save that on pp. 8 to 16 will be found some remarks on highways and their repair, nuisances on highways, accident cases, and carriers, which it is thought may be useful, though the statements are too brief and general to carry any authority.

The subject of traffic is various in the sense that some rules are general and some local, and in the sense that the persons, animals, and vehicles affected are of many descriptions.

The subject has been dealt with by setting out the relevant statutes, orders and bye-laws, and adding notes and cross-references. Certain sections of statutes have been abbreviated, and where this has been done the words are enclosed in square brackets []. Italics in sections of statutes are used either to show repeal or words introduced by subsequent legislation. Where not obvious the meaning of the italics is explained by a note.

The broad classification adopted is as follows : Statutes affecting the use of highways are dealt with in chronological order in three groups : Chapter I, Acts special to the Metropolis (County of London) ; Chapter II, Acts in force within and outside the Metropolis ; Chapter III, Acts in force outside the Metropolis. From these three groups the Acts controlling (a) locomotives and motor cars, (b) stage and hackney carriages, (c) tramcars, (d) boats, and (e) aircraft, have been withdrawn, so that these five classes of traffic can be dealt with concisely and separately.

To this have been added : (1) a chapter containing a collection of the chief provisions of local bye-laws in force within the Metropolitan Police District and which affect the movement of traffic ; (2) a chapter containing lists applying to the Metropolitan Police District of (a) bridges upon which weight is restricted, (b) low bridges, (c) fords and watersplashes, (d) thoroughfares through which the passage of motor vehicles is prohibited ; (3) an Appendix containing the abstract of laws controlling stage and hackney carriages within the Metropolitan Police District and the City of London.

In the result Part I deals with the use of highways ; Part II deals with the use of a vehicle of a particular class. The Appendix is a part of Part II.

In order properly to understand and apply the law it is necessary to be clear as to the extent of certain areas. The following definitions, should therefore be carefully studied :—

DEFINITIONS OF AREAS. (See Maps.)

London.—In this book the word London is used to denote the City of London, plus the Metropolitan Police District.

City of London means all the parts formerly within the jurisdiction of the Commissioners of Sewers of the City of London (Metropolis Management Act, 1855, s. 250 ; London Building Act, 1894 (57 & 58 Vict. c. 213), s. 5 (43)). For the extent of this jurisdiction see City of London Sewers Act, 1848 (11 & 12 Vict. c. 163), s. 262. The area is, the area within the old City walls, together with certain liberties without the walls.

The ***“ Metropolitan Police District ”** as constituted by section 4 of the Metropolitan Police Act, 1829, comprised the City and liberties of Westminster and certain parishes and places in the Counties of Middlesex, Surrey, and Kent which were set out in the Schedule to the Act. The district was considerably extended by an Order in Council dated the 3rd January, 1840, which was made under section 34 of the Act of 1829 and section 2 of the Metropolitan Police Act, 1839. As so extended the Metropolitan Police District now comprises the following places :—

The County of London, exclusive of the City of London and its liberties.

The County of Middlesex.

The County Boroughs of Croydon, East Ham and West Ham ; and the following civil parishes :—

In the County of Surrey : Addington, Banstead, Barnes, Beddington, Carshalton, Cheam, Chessington, Coombe, Coulsdon, Cuddington, Epsom, Ewell, Farley, Ham, Hamlet of Hook, Kew, Kingston-on-Thames, Long Ditton, Malden, New Malden, Merton, Mitcham, Morden, Mortlake, Moulsey (East and West), North Sheen, Petersham, Richmond, Sanderstead, Surbiton, Sutton, Thames Ditton, Tolworth, Wallington, Warlingham, Wimbledon, and Woodmansterne.

In the County of Herts : Aldenham, Arkey, East Barnet, Barnet Vale, Bushey, Cheshunt, Chipping Barnet, Elstree, Hadley, Monken Hadley, Northaw, Oxhey, Ridge, Shenley, South Mimms (Urban), and Totteridge.

In the County of Essex : Barking, Buckhurst Hill, Cann Hall, Chigwell, Chingford, Dagenham, Ilford, Loughton, Leyton, Waltham Holy Cross, Walthamstow, Wanstead, and Woodford.

In the County of Kent : Beckenham, Bexley, Bromley, Chislehurst, Crayford, Down, Erith, Farnborough, Foot's Cray, Hayes, Keston, Mottingham, North Cray, Orpington, Penge, St. Mary Cray, St. Paul's Cray, and West Wickham.

* **The Metropolis or the County of London.**—By the Local Government Act, 1888 (51 & 52 Vict. c. 41, s. 100), the METROPOLIS

* The Metropolitan Police District and the Metropolis are not co-extensive.

means the City of London and the parishes and places mentioned in Schedules A, B, and C to the Metropolis Management Act of 1855 (18 & 19 Vict. c. 120), as amended by subsequent Acts. The amending Acts are the Metropolis Management Amendment Act, 1885 (48 & 49 Vict. c. 33), the Metropolis Management (Battersea and Westminster) Act, 1887 (50 & 51 Vict. c. 17), and the Metropolis Management (Plumstead and Hackney) Act, 1893 (56 & 57 Vict. c. 55). Further amendments of a minor nature are caused by the London Government Act, 1899 (62 & 63 Vict. c. 14), ss. 15-22 ; see the report of 15th July, 1907, of the Commissioners under the London Government Act, 1899.

By the Local Government Act, 1888 (51 & 52 Vict. c. 41), s. 40, *the Metropolis as above defined is an Administrative County named the Administrative County of London*. Nevertheless, in this book the word *Metropolis* has been used and not the words *Administrative County of London*.

The above legal definition is of little practical service. Below is set out a list of twenty-eight boroughs and their constituent parishes, and these twenty-eight boroughs form the County of London.

It is to be noted that certain of the places mentioned in the Schedules to the Metropolis Management Act, 1855, were united with others before the boroughs in the following list were constituted. Hence the parishes constituting the boroughs in the following list do not necessarily include all the names in the Schedules to the Act of 1855.

LIST OF METROPOLITAN BOROUGHS AND THE CONSTITUENT PARISHES
AND PLACES WHICH, TOGETHER WITH THE CITY OF LONDON,
FORM THE METROPOLIS.

<i>Metropolitan Borough.</i>	<i>Parishes.</i>
Battersea.	St. Mary, Battersea.
Bermondsey.	Rotherhithe. Bermondsey. St. John, Horsleydown. St. Olave and St. Thomas, Southwark. <i>The above are now united as Bermondsey.</i>
Bethnal Green.	St. Matthew, Bethnal Green.
Camberwell.	Camberwell.
Chelsea.	St. Luke, Chelsea.
Deptford.	St. Paul, Deptford.
Finsbury.	St. James and St. John, Clerkenwell. St. Luke, Middlesex. St. Sepulchre, Middlesex. The Liberty of Glasshouse Yard. <i>The above are now united as Finsbury.</i>

LIST OF METROPOLITAN BOROUGH, &c.—*cont.*

<i>Metropolitan Borough.</i>	<i>Parishes.</i>
Fulham.	Fulham.
Greenwich.	Greenwich. Charlton and Kidbrooke. St. Nicholas, Deptford.
Hackney.	St. John at Hackney.
Hammersmith.	Hammersmith.
Hampstead.	St. John, Hampstead.
Holborn.	St. Giles in the Fields. St. George, Bloomsbury. St. George the Martyr. St. Andrew, Holborn above Bars. The Liberty of Saffron Hill, Hatton Garden, Ely Rents, and Ely Place. Lincoln's Inn. Gray's Inn. Staple Inn. Furnival's Inn.
Islington.	St. Mary, Islington.
Kensington (Royal Borough of).	St. Mary Abbots, Kensington.
Lambeth.	St. Mary, Lambeth.
Lewisham.	Lewisham. Lee. <i>The above are now united as Lewisham.</i>
Paddington.	Paddington.
Poplar.	All Saints, Poplar. St. Mary, Stratford-le-Bow. Bromley St. Leonard. <i>The above are now united as Poplar Borough.</i>
St. Marylebone.	St. Marylebone.
St. Pancras.	St. Pancras.
Shoreditch.	St. Leonard, Shoreditch.
Southwark.	St. George the Martyr. Christchurch, Southwark. St. Saviour, Southwark. St. Mary, Newington.

LIST OF METROPOLITAN BOROUGHs, &c.—*cont.*

<i>Metropolitan Borough.</i>	<i>Parishes.</i>
Stepney.	<p>Whitechapel. Mile End, Old Town. St. Anne, Limehouse. Liberty of Norton Folgate. Christchurch, Middlesex. Hamlet of Mile End, Old Town. St. George-in-the-East. St. John of Wapping. St. Paul, Shadwell. Hamlet of Ratcliff. St. Botolph without Aldgate. Liberty of the Old Artillery Ground. Tower of London and the Liberties thereof. <i>The above are now redistricted into four parishes, viz. :—</i> Whitechapel. Limehouse. Hamlet of Mile End, Old Town. St. George-in-the-East.</p>
Stoke Newington.	<p>St. Mary, Stoke Newington. South Hornsey. <i>The above are now united as Stoke Newington.</i></p>
Wandsworth.	<p>Wandsworth. Putney. Clapham. Streatham. Tooting Graveney. <i>The above are now united as Wandsworth Borough.</i></p>
Westminster (City of).	<p>St. Margaret and St. John, Westminster. St. George, Hanover Square. St. Martin-in-the-Fields. St. Clement Danes. St. James, Westminster. St. Anne, Westminster. St. Paul, Covent Garden. St. Mary-le-Strand. Liberty of the Rolls. Precinct of the Savoy. Close of the Collegiate Church of St. Peter, Westminster. <i>The above are now united as City of Westminster.</i></p>
Woolwich.	<p>Woolwich. Plumstead. Eltham.</p>
City of London.	<p>There were formerly 112 parishes. These are now united into one parish by the City of London (Union of Parishes) Act, 1907 (7 Edw. 7, c. cxl). For list of parishes see Schedule of that Act.</p>

GENERAL REMARKS ON CERTAIN SUBJECTS CONNECTED WITH
THE SUBJECT OF TRAFFIC.

The following paragraphs give a very brief outline of the subjects dealt with. The cases quoted are intended merely as labels to aid reference to books dealing with such subjects.

Highways.—At common law any person may use any highway and any part of any highway for any traffic for which the highway has been dedicated.

Dedication. Highways may be created by Act of Parliament or by dedication by the owner of the land with or without conditions and by acceptance of the owner's offer of dedication by the public. There is no obligation on the owner to dedicate or on the public to accept. The ownership of the land upon which the highway runs remains with the private owner.

Dedication may be presumed from the fact that the owner has permitted the public to use the way without interference.

It is to be noted that a highway is not necessarily dedicated for all traffic, e.g., it may not be dedicated for wheeled traffic.

Highways are of many kinds, e.g., main roads, streets, carriageways, bridle-paths, footpaths, public rivers.

The right of any person in a highway is to *pass along* it. The highway is a passage which all the King's subjects have a right to pass along.

The rule of the road is dealt with on p. 80, *post*.

Repair. The term "repairable by the inhabitants at large" is generally used to denote highways for the repair of which the public (which means the parish or highway authority) is liable, as distinguished from highways repairable by individuals or for the repair of which no one is liable.

The commonest case is of course the case of highways repairable by the inhabitants at large.

The Highway Acts of 1835, 1862, 1863, and 1864, The Highways and Locomotives Amendment Act, 1878, The Highway Rate Assessment and Expenditure Act, 1882, and The Highway Act Amendment Act, 1885, create highway authorities. In the Metropolis this authority is usually the Metropolitan Borough Council of the borough in which the highway or street lies (Metropolis Management Acts, 1855 and 1862). The authority for a main road, that is to say, a road which is the medium of communication between great towns or a thoroughfare to a railway station, &c., and which has been declared to be a main road, is the County Council.

It is the duty of the highway authority to repair and maintain a road. If persons who are under a legal duty to repair a highway allow it to be so much out of repair as to be a nuisance to passengers they commit an indictable misdemeanour. This duty to repair is not satisfied by doing what has been done from time immemorial, but the highway authority must make the road fit for the ordinary traffic of the neighbourhood at all seasons of the year. In other words, if the traffic increases so must the condition of the road be kept improved. The highway authority must move with the times (*R. v. High Halden*, 1 F. & F. 678).

Consequently, if the highway authority is wholly to blame for the road being unfit to bear the traffic which they ought to expect upon it, the first person who comes along and breaks it down is not indictable for nuisance (*Attorney-General v. Scott*, [1905] (2) K.B. 161).

The duty to maintain and repair a road includes such duties as building groynes to prevent the sea damaging the road (*Sandgate U.D.C. v. Kent C.C.*, [1898] 79 L.T. 425), and removing snow from the surface (*Guardians of Amesbury v. Wilts JJ.*, [1883] 10 Q.B.D. 480). On the other hand, if a road subsides it is not the duty of the highway authority to restore the old level, though they must put it into a condition convenient for traffic (*Lodge Holes Colliery Co. v. Wednesbury Corporation*, [1908] A.C. 323).

The limit of what the highway authority is justified in doing depends on the facts and the benefit of the improvement to the ratepayers. The highway authorities are custodians both of the roads for the public and of the money spent for the ratepayers. If the authority overspend the ratepayers' money the accounts may be disallowed by the district auditor, or, if allowed by him, may be reviewed on the application of a person aggrieved for a writ of certiorari to the High Court or by appeal to the Ministry of Health (7 & 8 Vict. c. 101 ; 11 & 12 Vict. c. 91).

If the highway authority neglects to repair it may be proceeded against by the appropriate remedy so as to compel it to do adequate repairs. The two most common remedies are indictment at common law and summary proceedings under the Highway Acts.

Where, however, the cause of action against a highway authority is damages for negligence, e.g., where a passenger has been injured by reason of the defective condition of the highway, there is no peculiarity of procedure in the action. There is, however, this peculiarity in the principle of their liability. In an action founded on negligence, e.g., where someone is hurt owing to the defective state of the road, the highway authority is liable for acts of *misfeasance*, but not for acts of *nonfeasance*. In other words, the authority is liable for doing bad work, but not for leaving things as they were. A good example is a case in which there was a hole in a highway which had been much enlarged by heavy rains. A passenger broke his leg because of the hole. Notwithstanding that notice had been given to the authority some time before the accident of the state of the road, it was held that the authority was not liable (*Young v. Davis*, [1862] 7 H. & N. 760 ; *Cowley v. Newmarket Local Board*, [1891], 55 J.P. 54.)

It is to be remembered, further, that certain public undertakings, notably tramway undertakings, enjoy the right to interfere with highways, e.g., to break up streets for the purposes of their undertaking.

On the other hand, liabilities are imposed on them, e.g., in the case of a tramway company, to keep the roadway within the limits of their permanent way in good condition. These special rights and liabilities are usually completely dealt with by the local Act governing the undertaking, and in the case of tramways by the Tramway Act, 1870, as well as by the special local Act.

The highway authority has a right to recover a contribution for the repair of the highway from those putting extraordinary traffic on the highway (Highways & Locomotives Amendment Act, 1878, 41 & 42 Vict. c. 77, amended by 61 & 62 Vict. c. 29, s. 12). The question of what is extraordinary traffic is a question of fact.

Extra-ordinary traffic.

Nuisances on highways.

At common law it is a nuisance to obstruct a highway so as to prevent the public passing conveniently along it. What amounts to nuisance is a question of fact for the jury. A common nuisance is an indictable misdemeanour punishable by fine or imprisonment; the Court may also order that the nuisance be abated.

Besides the offence of nuisance at common law there have been created by statute a multitude of specific acts of nuisance on highways. The most important of these statutes are :—

Metropolitan Paving Act, 1817, 57 Geo. 3, c. xxix.

Highway Act, 1835, 5 & 6 Will. 4, c. 50.

Metropolis Management Act, 1855, 18 & 19 Vict. c. 120.

Metropolis Management Act, 1862, 25 & 26 Vict. c. 102.

Public Health Act, 1875, 38 & 39 Vict. c. 55.

Local Government Act, 1888, 51 & 52 Vict. c. 41.

Public Health Acts Amendment Act, 1890, 53 & 54 Vict. c. 59.

Public Health (London) Act, 1891, 54 & 55 Vict. c. 76.

London Building Act, 1894, 57 & 58 Vict. c. ccxiii.

Public Health Acts Amendment Act, 1907, 7 Edw. 7, c. 53.

(In addition, the Metropolitan Police Acts should be mentioned.

These are detailed in the Metropolitan Police Guide.)

Certain acts done in highways and streets, e.g., betting, are made illegal by statute, other acts, such as collecting money in streets and hawking, are done subject to regulations. Dangerous goods, e.g., petroleum, may only be carried on highways in a certain manner.

For the subjects of street betting, hawking, processions, carriage of petroleum, street collections, the Metropolitan Police Guide may be referred to.

In addition, local authorities are empowered by various statutes to make bye-laws, and, acting under these powers, have made bye-laws dealing with the following amongst other nuisances :—

Steam organs, shooting galleries, roundabouts, noisy animals, street shouting, flash and search lights, indecency, spitting, window cleaning, waste paper, refuse, advertising bills, fruit skins, sharp substances, dogs, street music, gipsies, carrying carcases, soot, timber, throwing stones, defacing buildings, obstruction by goods, awnings, &c., toutting, loitering, jostling, posting bills, street cries, advertisements, dangerous games, &c. (See also the selected bye-laws printed *post*, p. 85, for regulations which concern traffic.)

STREET ACCIDENTS AND RUNNING DOWN CASES.

The main object of the enactments and rules with which this book deals is to insure the safety of the public, and to this end penalties are imposed for a breach of many of such enactments and rules.

When for any reason a traffic accident occurs and damage is done a right of action may accrue to the party damaged.

In the common case of the ordinary street accident between strangers the law of *negligence*, which is a branch of the law of *tort* (wrong), governs the matter. Negligence is a breach of a legal duty to use care.

In order to establish the cause of action it is necessary for the plaintiff to show that the defendant's negligence was the cause of the damage and that damage has been caused. The plaintiff must be able to give particulars of the negligence and particulars of any special damage, such as injury to himself or his belongings.

The burden of proof is on the plaintiff to show negligence. Nothing can be inferred, for example, from the bare fact that a foot passenger is knocked down by the driver of a carriage in a place where each has an equal right to be. Before one can complain of another he must show wherein care was wanting (*Cotton v. Wood*, 8 C.B. N.S. 568; 29 L.J. C.P. 333).

Sometimes when the thing speaks for itself the plaintiff is relieved from the obligation of showing negligence, e.g., when a barrel of flour fell from a warehouse on to the head of a passer-by in the street (*Byrne v. Boadle*, [1863] (2) H. & C. 722). In such a case negligence is presumed.

The negligence of the defendant must be the *proximate cause* of the damage. Therefore, for example, it is useless to say that the defendant had disobeyed some rule of law, if such disobedience was in no way the cause of the accident, e.g., a defendant washed a van down in a public street and contrary to Act of Parliament. The weather was frosty and, unknown to the defendant, a grating was frozen over and a sheet of ice was formed. The plaintiff's horse slipped on the ice and was hurt. In these circumstances, and because the defendant was doing something which, in the ordinary course and so far as he could judge, was not capable of causing the mischief which arose, the action failed and the defendant was held not to be liable (*Sharp v. Powell*, L.R. 7 C.P. 253; 41 L.J. C.P. 95). This case is interesting as an illustration, because it is a borderline case which has been questioned, though never overruled. On the other hand, the omission to take a precaution enjoined by statute is negligence if in any way the omission is the cause of the accident (*Stapley v. L.B. & S.C.Rly. Co.*, L.R. 1 Ex. 21, 35 L.J. Ex. 7; *Wakelin v. L. & S.W.Rly. Co.*, [1887] 12 A.C. 41, 56 L.J. Q.B. 229). Conversely, strict compliance with statutory obligations is not a complete answer to an action for negligence, there may be a duty to do something more, see *Windle v. Bristol Tramways & Carriage Co., Ltd.*, p. 52, *post*.

Even though the defendant has been negligent and his negligence is one of the factors without which the accident would never have happened, it may be that the negligence of the plaintiff is the proximate cause of the accident and of the damage. In such a case there is *contributory negligence* on the part of the plaintiff and he cannot recover. The test is, "could the plaintiff by being ordinarily careful have averted the consequences of the defendant's negligence?"

Contributory
negligence.

The two leading cases of *Butterfield v. Forrester*, [1809] 11 East 60, 10 R.R. 433, and *Davies v. Mann*, [1842], 10 M. & W. 546, 12 L.J. Ex. 10), illustrate this principle. In *Butterfield v. Forrester*, the defendant had put some poles across the highway and this was an illegal act. The plaintiff galloped his horse down the highway in a reckless fashion and hurt himself against the poles, but the plaintiff failed to recover. "A party is not to cast himself upon an obstruction which has been made by the fault of another and avail himself of it, if he do not himself use common and ordinary caution to be in the right . . . one person being in default will not dispense with another's using ordinary care of himself."

In *Davies v. Mann* (*supra*), the plaintiff left his fettered donkey in the highway and in that he was negligent. The defendant's waggon, driven too fast and not properly attended to by the driver, struck the helpless donkey and killed it. The plaintiff recovered on the ground that if the driver of the waggon had been careful the consequence of his own

negligence would have been averted. "Although the ass may have been wrongfully there, still the defendant was bound to go along the road at such a pace as would be likely to prevent mischief. Were this not so a man might justify the driving over goods left in a public highway or even over a man lying asleep there, or the purposely running against a carriage going on the wrong side of the road."

Unfore-
seeable
accident.

Again, it is not the duty of anyone to guard against accidents which could not have been foreseen. The defendant cannot be made responsible for a mere accident. "For the convenience of mankind in carrying on the affairs of life, people, as they go along roads, must expect or put up with, such mischief as reasonable care on the part of others cannot avoid." This was said in the case of *Holmes v. Mather*, [1875] L.R. 10 Ex. 261; 44 L.J. Ex. 176, where the defendant had tried some horses in double harness for the first time and they had run away and damage had been done by them. It was held that the defendant had not been negligent and was not liable.

Death of a
party.

It is a rule of law that a personal action for wrong dies at the death of either the plaintiff or defendant. According to this old rule, the victim of a street accident loses his remedy if the person who injures him dies. Again, according to this rule, if the accident is so serious that a man is killed, no action can be brought to recover compensation for his widow or family.

The hardship of this rule has been mitigated by Lord Campbell's Act, 9 & 10 Vict. c. 93, 1846. This Act confers a right of action on the personal representatives* of a person whose death has been caused by a wrongful act, neglect, or default, such that if death had not ensued that person might have maintained an action. The right conferred is not for the benefit of the personal estate, but "for the benefit of the wife, husband, parent, and child of the person whose death shall have been so caused." The action must be commenced within twelve calendar months after the death of the deceased person. The right to compensation is not the same under this Act as when the injured person lives to sue for himself, and it is a greater right and based on a different principle.

In the case where the wrongdoer himself dies the hardship of the rule still remains. An injured person has no right to damages for tort against a dead man's estate, subject to the exception that he is entitled to recover such benefit as the estate has received by reason of the tort. This exception can, however, hardly apply to the case of a street accident.

Principal
and agent.

With regard to the liability of *principal and agent*. Whoever commits a wrong is liable for it himself, and it is not an excuse to say that he was acting as an agent or servant of another (*Cullen v. Thomson's Trustees & Kerr*, 4 Macq. 424, 432).

On the other hand, the master is answerable for every such wrong of the servant or agent as is committed in the course of the service and for the master's benefit, though no express command or privity of the master be proved (*Barwick v. English Joint Stock Bank*, L.R. 2 Ex. 259).† The difficulty in applying this rule lies in the words "in the

* See amending Act, 27 & 28 Vict. c. 95.

† Relation between a taxicab owner and driver, *inter se*, is not that of master and servant within Workmen's Compensation Act. But as regards third parties the driver may be treated as the agent of the owner, so as to make the owner liable for acts of driver which are within the scope of his authority. *Doggett v. Waterloo Taxicab Co.*, [1910] 2 K.B. 336; *Smith v. General Motor Cab Co.*, [1911] A.C. 188; see also *Kemp v. Elisha*, [1918] 1 K.B. 228.

course of the service," and the dispute commonly arises, what was the extent of authority given to the servant? For example, in *Seymour v. Greenwood*, 7 H. & N. 355, 30 L.J. Ex. 327, the guard of an omnibus removed a passenger whom he thought it proper to remove as being drunk, and in doing so he used excessive violence. It was held that, even if the guard was altogether mistaken as to the sobriety of the passenger, the owner of the omnibus was liable. "The master by giving the guard authority to remove offensive passengers gave him authority to determine whether any passenger had misconducted himself."

On the other hand, an act done outside the servant's powers will not involve the master in any liability. *A fortiori* an act outside the statutory powers of a railway company must necessarily be outside the powers delegated by it to its servant (*Poulton v. L. & S.W. Rly. Co.*, [1867] L.R. 2 Q.B. 534).

Since many of the masters of drivers of vehicles are public authorities, it is to be remembered that the *Public Authorities Protection Act*, 1893, 56 & 57 Vict. c. 61 by section 1 limits the rights of a plaintiff, in that an action against "any person for any act done in pursuance or execution or intended execution of any Act of Parliament or of any public duty or authority or any alleged neglect or default in the execution" of the same must be commenced within six months of the act complained of, or in the case of a continuing injury or damage within six months of the ceasing thereof.

Public
authorities.

In the case of an injury of a *servant* by a fellow-servant in the conduct of his work the old rule of law was that the master was not liable to his servant. This was known as the doctrine of *common employment*, and the reasoning is as follows :—

Common
employment.

Outsiders can hold the master responsible for the negligence of a servant about his business, but in the case where the person injured is himself a servant he is no longer a stranger, but he has, of his own free will, entered the business. He has accepted the risks with his eyes open, and it is to be inferred that the nature of the business and of the risks are recognized in his contract of service and by his remuneration (*Priestley v. Fowler*, [1837] 3 M. & W. 1, 49 R.R. 495). "A servant when he engages to serve a master, undertakes as between himself and his master to run all the ordinary risks of the service including the risk of negligence upon the part of a fellow-servant when he is acting in the discharge of his duty as servant of him who is the common master of both" (*Tunney v. Midland Rly. Co.*, [1866] L.R. 1 C.P. 296). The master is thus excused from liability to his servant in consequence of the acts of other servants, subject to these qualifications: (a) He must not lay a trap for his servant and expose him to danger of which he could not have known and which he did not therefore accept (*Sword v. Cameron*, [1839] 1 D. 439); (b) he is liable for his own personal negligence towards his servant, and he is bound to employ competent people as his other servants and to have proper plant.

A servant is, however, free to claim compensation from the master under the *Employer's Liability Act*, 1880 (43 & 44 Vict. c. 42). The effect of this Act is that a "workman" within the meaning of the Act is put as against his employer in approximately the same position as an outsider as regards the safe condition of the machinery and premises of his master's business. He is also entitled to compensation for injury

Employer's
Liability
Act.

resulting from the negligence of a superintending servant or from the effect of rules and orders issued by the master.

Workmen's
Compensa-
tion Act.

The Workmen's Compensation Act, 1906 (6 Edw. 7, c. 58), gives rights to servants still further mitigating the common law rule of common employment stated above.*

Joint
wrongdoers.

A person wronged has a remedy against any wrongdoer responsible. He may sue all or anyone of those responsible, but having made his election he is bound by it, and if he recovers against some one of the joint authors of the wrong the matter is concluded, and he cannot afterwards sue another, even though the judgment remain unsatisfied (*Brinsmead v. Harrison*, L.R. 7 C.P. 547, 41 L.J. C.P. 190). Furthermore, each of the joint authors of a wrong is responsible for the whole of the damage occasioned by it (*Hume v. Oldaker*, [1816] 1 Stark 351, 18 R.R. 779). This principle is usually stated in the phrase that "*there is no contribution between tort feasons.*"

Statute of
limitation.

By the Statute of Limitation of 1623, 21 Jac. 1, c. 16, actions for negligence being actions on the case must be commenced within six years of the accrual of the cause of action.

Contract of
carriage.

In some cases an action arising out of a street accident may not be between strangers. A passenger carried for hire is injured on a journey. He claims against the person who has contracted to carry him and to whom he is no stranger for there is a contract between them. His action may be founded on the contract of carriage, the plaintiff may say, "you agreed to carry me safely and you did not do so, and I claim damages." It is for the plaintiff to prove such a contract, express or implied, and to show that there has been a breach. In most cases, however, the damages for the breach of contract will be small, while the damages for injury in an accident for which the carrier is responsible by reason of his negligence will be large. Consequently, the plaintiff will either entirely or alternatively found his action on the negligence of the carrier. In which case, so far as regards the negligence, the same considerations apply as have been outlined above when discussing the action occasioned by a street accident between strangers, and so far as regards breach of contract, the matter depends upon the special contract of carriage which has been made, and the issue plainly depends upon the express or implied terms of such a contract and the facts.

Whether his action be framed on contract or be brought for negligence, or for both breach of contract and negligence, it is useful to remember some of the main incidents in the duty of carriers of goods and passengers.

CARRIERS.

Common
carrier.

A carrier carries goods or passengers. A *common carrier* exercises the public employment of carrying goods (*Coggs v. Bernard*, [1703] 2 Ld. Rayn. 909). He holds himself out as ready to carry any goods that are offered. A common carrier exercises a public employment; he is bound by law to take goods if properly tendered, and if he has no lawful excuse for refusing the goods such as lack of room on his vehicle. His liability for loss or damage in transit is absolute, unless the loss is caused by what is known as an act of God (which means an extraordinary

* See footnote † on p. 12.

occurrence) or by the King's enemies. It is difficult for a common carrier to free himself from this absolute liability by means of any "notice" or special contract. It is, however, provided by the Carriers Act, 1830, 11 Geo. 4 and 1 Will. 4, c. 68, that a carrier is not responsible for certain specified valuable articles (as gold, silver, watches, &c.) to the value of ten pounds or upwards, unless a declaration of value and payment of any increased charge be made on consignment. In order to obtain the increased charge the carriers must post a notice to that effect.

The liabilities of a common carrier may be assumed by contract or warranty by one who does not follow the public employment of a common carrier. It is a question of fact whether such liabilities have been assumed. A man who undertakes casual jobs of carrying is not a common carrier.

Stage-coach proprietors are common carriers of their passengers' luggage and of goods carried for persons who are not passengers (*Brooke v. Pickwick*, [1827] 4 Bing. 218). A cabman is not a common carrier of luggage carried for a fare on his cab (*Ross v. Hill*, [1846] 2 C.B. 877). A carrier of passengers is not as such a common carrier. He undertakes to carry his passengers with due care, but his undertaking goes no further; he does not insure them, and he is only liable for personal injuries to his passengers if negligence is proved (*Crofts v. Waterhouse*, [1825] 3 Bing. 319).

A carrier who is not a common carrier is called herein a *private carrier* though this term is not a well-known term as is the expression "common carrier." A private carrier carries goods on occasion. Whether he carries the goods gratuitously or for reward, he is bound to exercise due and proper care of the goods. If he carries gratuitously, he is responsible for negligence in the sense that he is expected to use the care and skill he uses in his own affairs. If he carries for reward, he is presumed to have represented himself as a person of competence for the carriage, and he is liable for negligence judged by this standard.

Carriers of Passengers do not insure the safety of the persons carried, and they do not warrant that their vehicles are sound and sufficient. They undertake to act with all due care and exercise reasonable forethought and to use proper vehicles, drive reasonably quiet horses, and employ competent servants. They are responsible for negligence (*Readhead v. Midland Rly. Co.*, [1869] L.R. 4 Q.B. 379). They are bound to see that everything under their control is in proper order, but they are not liable for the acts of persons over whom they have no control (*Daniel v. Met. Rly. Co.*, [1871] L.R. 5 H.L. 45). If there is any ground for apprehending danger from an external cause, carriers of passengers must take steps to guard against it (*ibid.*). Although carriers of passengers do not warrant their vehicles as sound and sufficient, they are answerable for the soundness and sufficiency of their vehicles in the sense that they are answerable for damage caused by reason of any defect if careful and reasonable examination would reveal the defect. A regular and proper examination is a duty (*Bremner v. Williams*, [1824] 1 C. & P. 414). They are not answerable for latent defects which they could not reasonably have discovered (*Readhead v. Midland Rly. Co.*, *supra*).

Carriers of passengers.

Carriers of passengers are bound to carry persons who offer themselves in a fit state and ready to pay. They are bound to carry the

passenger from the usual place of taking up to the usual place of setting down, e.g., if the usual place to alight from a stage coach is the inn yard, the carrier cannot insist on a person alighting at the inn gate (*Dudley v. Smith*, 1 Camp. 167). A carrier impliedly undertakes to carry a passenger in a reasonable time at a reasonable speed, and if a carrier fail to carry his passenger to his destination the passenger may claim the expense of getting there by other means (see *Hobbs v. L. & S.W. Rly. Co.*, L.R. 10 Q.B. 111).

The most material evidence in an action for negligence in a street accident case is often the evidence of the police. The following memorandum shows the terms on which the Commissioner is prepared to assist in furnishing such evidence :—

MEMORANDUM OF COMMISSIONER OF METROPOLITAN POLICE.

Police reports, books, and records are confidential and privileged, and it would be contrary to the general public interest for their contents to be disclosed. In these circumstances the Commissioner is unable to accede to any request for copies of such reports or other documents.

In cases of *street accidents*, however, he is generally prepared to furnish to the parties interested, or to their properly authorized legal representatives, abstracts giving the salient points, and the names and addresses of witnesses, when known to Police, on the understanding that such abstracts are not, and do not purport to be, actual copies of reports. When the occurrences are witnessed by Police officers, such officers will attend and give evidence at any proceedings which may result if served with a subpoena in the usual manner.

Abstracts respecting occurrences in regard to which Police proceedings are pending cannot, as a rule, be supplied until such proceedings have been disposed of.

In accordance with the direction of the Secretary of State a fee of five shillings will be charged in respect to each application for a search for particulars relating to a street accident. The search will be undertaken by the Police, and the fee will be retained even though no record of the accident can be traced from the particulars given. It is necessary, therefore, that all available information as to the time, date, and *exact* locality of the occurrence should be furnished, together with the names of parties concerned, in order that full inquiry may be made. The fee must accompany the application, and should be sent in the shape of a crossed postal order. Neither stamps nor cheques can be accepted.

If the particulars do not relate to a street accident, the fee will be returned to the applicant.

PART I.

ACTS REGULATING THE USE OF STREETS, ROADS, ETC.

CHAPTER I.

ACTS IN FORCE IN THE METROPOLIS (COUNTY OF LONDON).

THE METROPOLITAN PAVING ACT, 1817, 57 Geo. 3, c. xxix.

THE METROPOLITAN POLICE ACT, 1839, 2 & 3 Vict. c. 47.

*THE METROPOLITAN MARKET ACT, 1857, 20 & 21 Vict. c. cxxxv.

†THE METROPOLITAN STREETS ACT, 1867, 30 & 31 Vict. c. 134.

†THE METROPOLITAN STREETS ACT AMENDMENT ACT, 1867, 31 & 32 Vict. c. 5.

†THE METROPOLITAN STREETS ACT, 1885, 48 & 49 Vict. c. 18.

THE PUBLIC HEALTH (LONDON) ACT, 1891, 54 & 55 Vict. c. 76.

‡THE POST OFFICE ACT, 1908, 8 Edw. 7, c. 48.

‡THE CITY OF LONDON (STREET TRAFFIC) ACT, 1909, 9 Edw. 7, c. lxxvii.

THE METROPOLITAN PAVING ACT, 1817.

(57 Geo. 3, c. xxix.)

This Act is otherwise known as MICHAEL ANGELO TAYLOR'S ACT, and as the GENERAL PAVING (METROPOLIS) ACT, 1817.

By 25 & 26 Vict. c. 102, s. 73, the powers of improving and regulating streets and for the suppression of nuisances contained in 57 Geo. 3, c. xxix, shall, so far as the same is in force, and is not inconsistent with the provisions of 18 & 19 Vict. c. 120, 19 & 20 Vict. c. 112, 21 & 22 Vict. c. 104, and 25 & 26 Vict. c. 102, extend and apply to the Metropolis, as defined by 18 & 19 Vict. c. 120 (s. 250) and 25 & 26 Vict. c. 102.

By 5 & 6 W. 4, c. 50, s. 112 (Highway Act, 1835), nothing therein contained shall be construed to abridge, repeal, alter, amend, or interfere with the powers and provisions contained in this Act.

The sections in this Act are very long and expressed in extreme detail. It has been thought advisable very greatly to abbreviate them.

- 64.** [If any person or persons shall, in any street or public place in any parochial or other district, within the jurisdiction of this Act— Various nuisances.
beat or dust any carpet ; or
shall drive any carriage for the purpose of breaking, exercising, or trying horses ; or
shall ride any horse, mare, or gelding for the purpose of exercising, airing, trying, showing, or exposing such horse, mare, or gelding for sale (otherwise than by passing through such streets or other public places) ; or

* This Act applies to certain specified portions of the Metropolis.

† These Acts apply only to a portion of the Metropolis, see section 4 of 30 & 31 Vict. c. 134.

‡ These Acts are of local application.

shall run, roll, drive, draw, or place, or cause, permit, or suffer to be run, rolled, driven, drawn, or placed upon any of the said footway pavements of any street or public place, any waggon, cart, dray, sledge, or other carriage, or any wheel, wheelbarrow, handbarrow, or truck, or any hogshead, cask, or barrel; or

shall wilfully ride, lead, or drive any horse, ass, mule, or other beast, upon any of the footway pavements aforesaid,

then and in every such case any justice for the borough or county where the place is situate on complaint on oath is to summon the offender]; or

Arrest of
offenders.

it shall and may be lawful to and for any person or persons whomsoever, who shall see any such offence committed, if he or they shall think proper, to seize, and also for any other person or persons to assist in seizing such offender or offenders by the authority of this Act, and by such authority, and without any other authority or warrant whatsoever, to convey such offender or offenders [before a justice. Penalty for each offence not less than forty shillings and not more than five pounds, one moiety to the informer or apprehender, and the other moiety to the authority having the control of the pavements.]

This section is subject to the provisions of 2 & 3 Vict. c. 71, s. 47.

Annoyances
from
stall, &c.,
prohibited.

65. [If any person or persons—

shall set or place, or cause or permit to be set or placed by any servant or person employed by him, her, or them, or otherwise, any stall board, chopping block, show board on hinges or otherwise, basket, wares, merchandise, casks, or goods of any kind whatsoever; or

shall hoop, place, wash, or cleanse, or cause to be hooped, washed, or cleansed, any pipe, barrel, cask, or vessel, in or upon or over any part of the carriage or footways in any streets or public places in any parochial or other district within the jurisdiction of this Act; or

shall set out, lay, or place, or cause or procure, permit, or suffer to be set out, laid, or placed, any coach, cart, wain, waggon, dray, wheelbarrow, handbarrow, sledge, truck, or other carriage upon any of the said carriageways (except coaches, &c., licensed and standing for hire according to the statutes, &c.), and also except for the necessary time of loading or unloading any cart, &c. (as above), or other carriage, or taking up or setting down any fare, or waiting for passengers when actually hired or harnessing or unharnessing the horses from any coach, &c. (as above) or other carriage; or

shall set or place, or cause to be set or placed, in or upon or over any of the said carriage or footways, any timber, stones, bricks, lime, or other materials or things for building whatsoever (unless closed in as directed by any statute) or any other matters or things whatsoever; or

shall hang out or expose, or cause or permit to be hung out or exposed, any meat or offal, or other matter or thing whatsoever, from any house or houses, or other buildings or premises

belonging to or occupied by him, her, or them, over any part of either of such pavements, or over any area or areas of any houses or other buildings or premises ; or

This subsection does not apply to fixed reflectors or the like firmly attached to the building. *Winsborrow v. London Joint Stock Bank*, 67 J.P. 289 ; 88 L.T. 803.

See London Building Act [1894], 57 & 58 Vict. c. ccxiii, ss. 73, 164 (1), for powers of London County Council over projections.

shall place or put out, or cause or permit to be placed or put out, any garden, or other pots (except perfectly secured from falling to the satisfaction of the persons having control of the pavements or their surveyor) or any other matter or thing, from and on the outside of the front or any other part of any house or houses, or other buildings or premises, over or next unto any such street or public place,

and shall not immediately remove all or any such matters or things, being thereunto required by any surveyor, or person employed or appointed by the persons having the control of the pavements and whether the same shall have been so set or placed, exposed or put out by himself, herself, or themselves personally or by his servant or employé, and shall not continue and keep the same so removed ; or if any person, having removed any of the said things, replace them.

then and in every such case a justice upon sworn complaint may issue a summons. Penalty for first offence forty shillings, for subsequent offence five pounds.]

[It shall and may be lawful to and for any person appointed by the authority having control of the pavements without any warrant or other authority under this Act, to seize any of the things aforesaid ; and in case any of the wares, goods, and merchandises so seized shall be perishable, or shall be articles of food, then the same shall be immediately forfeited and applied for the relief of the poor ; but otherwise such person shall cause any of the things so seized to be removed to any place appointed for the reception thereof, if such there be, and otherwise to a convenient place giving notice to the owner if he be present. Goods to be kept till penalty, costs and expenses are paid. After five days goods may be appraised and sold, money after penalty, &c., deducted to be returned to owner.]

Seizure of obstructing articles.

In proceedings under this section it is not necessary that the complainant be authorized in writing under section 123 of this Act, which deals with the procedure by which Justices may proceed on complaint of commissioners. *Keep v. Alexander*, 73 J.P. 423.

This section is subject to 2 & 3 Vict. c. 71, s. 47.

This section is extended to the Metropolis by 25 & 26 Vict. c. 102, s. 73 (*Fulham B.W. v. Smith*, 48 J.P. 375), and is not superseded by 18 & 19 Vict. c. 120, s. 119. *Wyatt v. Gems*, [1893] 2 Q.B. 225.

See also 2 & 3 Vict. c. 47, s. 60 (7) ; and 30 & 31 Vict. c. 134, s. 6 ; and 31 & 32 Vict. c. 5, s. 1, as to costermongers trading in accordance with police regulations. To such persons this section does not apply, *Summers v. Holborn Dist. B.W.*, [1893] 1 Q.B. 612, and *Keep v. St. Mary's Newington Vestry*, [1894] 2 Q.B. 524.

See the cases of *Brackley v. St. Mary Battersea*, 23 Q.B.D. 486, and *Baker v. Bradley*, 74 J.P. 341.

66. [If the aforesaid nuisances and annoyances are repeated after a notice once given a further notice is unnecessary before taking action to remove them (this section is expressed to cover the Acts described in the preceding section, whether they offend against this Act or a local

or private Act relating to a district within the jurisdiction of this Act).]

133-135. Right of aggrieved person to appeal to quarter sessions These sections are not repealed; they are not incorporated in section 231 of Metropolitan Management Act, 1855. Procedure on appeal is now regulated by the Summary Jurisdiction Acts, 1879-1884.

138. [Local pavement Acts not hereby repealed.]

148. [Act to be deemed a public Act.]

THE METROPOLITAN POLICE ACT, 1839.

(2 & 3 Vict. c. 47.)

Exemption
from turn-
pike tolls.

10. No toll shall be demanded or taken on any turnpike road or bridge for any horse or police van passing along such road or bridge in the service of the Metropolitan Police, provided that the rider of such horse or driver of such van shall have his dress and accoutrements according to the regulations of the police force at the time of claiming the exemption; and every person who shall fraudulently claim or take the benefit of the exemption from toll herein contained, not being lawfully entitled thereunto, shall for every such offence be liable to a penalty not more than five pounds; and in all such cases the proof of exemption shall be upon the person claiming the same.

As to the conveyance of officers or men of a police force by railway at reduced rates, see 46 & 47 Vict. c. 34, s. 6.

Empowering
the Com-
missioners of
Police to
regulate the
route and
conduct of
persons
driving
stage
carriages,
cattle, &c.,
during the
hours of
divine
service.

51. On the application of the minister or churchwardens of any church, chapel, or other place of public worship within the Metropolitan Police District to the Commissioners of Police, it shall be lawful for the said Commissioners to make orders for regulating the route and conduct of persons who shall drive any cart or carriage, or who shall drive any cattle, sheep, pigs, or other animals, within such parish or place during the hours of divine service on Sunday, Christmas Day, Good Friday, or any day appointed for a public fast or thanksgiving, and any orders which shall be so made shall be printed and affixed on or near the church, chapel, or place of public worship to which the same shall refer, and in some conspicuous places leading to and contiguous thereto, and elsewhere as the Commissioners of Police shall direct; and every breach of any such order shall be deemed a separate offence.

See the notes to the next section.

Regulations
for prevent-
ing obstruc-
tions in the
streets dur-
ing public
processions,
&c.

52. It shall be lawful for the Commissioners of Police from time to time, and as occasion shall require, to make regulations for the route to be observed by all carts, carriages, horses, and persons, and for preventing obstruction of the streets and thoroughfares within the Metropolitan Police District in all times of public processions, public rejoicings, or illuminations, and also to give directions to the constables for keeping order and for preventing any obstruction of the thoroughfares in the immediate neighbourhood of Her Majesty's palaces and the public offices, the High Court of Parliament, the courts of law and equity, the police courts, the theatres, and other places of public resort, and in any case when the streets or thoroughfares may be thronged or may be liable to be obstructed.

On occasions when streets are "up" the above section is made use of.

A breach of the regulations made under this section or section 51 is punishable under section 54 (9).

Where directions had been given under this section that empty cabs driven at a walking pace along the Strand were to be turned into the side streets, it was held that a cab-driver who refused to comply with these directions was liable to a penalty for causing an obstruction by wilful misbehaviour under section 33 of the London Hackney Carriages Act, 1843. *R. v. Lushington*, 15 T.L.R. 388.

Under the similar provisions contained in section 21 of the Town Police Clauses Act, 1847, 10 & 11 Vict. c. 89, it has been held that the power of making regulations is not confined to orders dealing with extraordinary occasions, but authorizes the making of general orders for the regulation of the traffic in any street which is usually liable to be obstructed. *Teale v. Williams*, [1914] 3 K.B. 395. Under the same section it was held that where a regulation provided that the constables stationed at the crossings in certain streets were to direct the drivers of vehicles to stop or to come on, a driver who disregarded the directions so given had committed a breach of the regulation. *Dudderidge v. Rawlings*, 108 L.T. 802.

Further powers to make regulations as to the route to be taken by vehicles and the line to be kept by persons riding or driving are given by 30 & 31 Vict. c. 134, s. 11, *post*, pp. 33, 34. See also p. 238.

The Commissioner is empowered by section 287 of the Port of London Consolidation Act, 1920, to give orders for regulating the passage of vessels on such part of the Thames as lies within his jurisdiction on any occasion when large crowds may assemble on such part (see p. 426, *post*).

53. No proprietor of any stage carriage duly licensed to carry passengers for hire shall be liable to any penalty for any deviation from the route or line of route specified in his licence which the driver of such stage carriage shall make by virtue of any regulation or direction made or given by the Commissioners of Police.

Proprietors of stage carriages not liable to penalties for deviating from route.

54. Every person shall be liable to a penalty not more than forty shillings, who, within the limits of the Metropolitan Police District, shall, in any thoroughfare or public place, commit any of the following offences; (that is to say,)

Some of the provisions of this section appear to apply to acts committed on private property adjoining a street. See *Howard v. Daniels*, 93 L.T. 669. See also 1 & 2 Vict. c. 38, s. 2, which was passed to remove doubts whether the wilful exposure of obscene prints, &c., in the window of a shop situate in a street was an offence within 5 Geo. 4, c. 83, s. 4, which made it an offence wilfully to expose such prints to view in any street.

This Act contains no definition of the expression "public place," such as is to be found in other enactments, e.g., 2 Edw. 7, c. 28, s. 8; 6 Edw. 7, c. 43, s. 1. In the absence of any such definition, the meaning of this expression appears to depend upon the nature of the offence which is created. Thus, under the provisions of Acts relating to hackney carriages plying for hire, it was held that a railway station was not a public place, because the public had no right of access to it. *Case v. Storey*, L.R. 4 Ex. 319; *Skinner v. Usher*, L.R. 7 Q.B. 423 (see further, p. 247). On the other hand, on an indictment for indecent exposure in a public place it has been held that these words include a place to which the public have access, although they have no legal right to go there. *R. v. Wellard*, 14 Q.B.D. 63. See also *R. v. Holmes*, 22 L.J. M.C. 122; *R. v. Thallman*, 33 L.J. M.C. 58. Under an enactment relating to gaming, a railway carriage was held to be included in the expression "any open and public place to which the public have access." *Langrish v. Archer*, 10 Q.B.D. 44. See also *ex parte Freestone*, 25 L.J. M.C. 121. The Royal Albert Dock was held to be a public place in a case where a person was charged with unlawful possession. *Bradley v. Rose*, 8 T.L.R. 338.

(1) Every person who shall, to the annoyance of the inhabitants or passengers, expose for show or sale (except in a market lawfully appointed for that purpose), or feed or fodder any horse or other animal, or show any caravan containing any animal

Prohibition of nuisances by persons in the thorough-fares.

or any other show or public entertainment, or shoe, bleed, or farry any horse or animal (except in cases of accident), or clean, dress, exercise, train, or break any horse or animal, or clean, make, or repair any part of any cart or carriage, except in cases of accident where repair on the spot is necessary :

Where a man cleaned a carriage in a street where there were no passengers it was held that as there was no actual annoyance he could not be convicted. *Allen v. Baldock*, 31 J.P. 311.

A motor omnibus broke down and twenty-five minutes were occupied in doing repairs to it in the street to enable it to be removed by its own power, though it could have been removed for the purpose of repair by other means. Several persons were put to inconvenience by the carrying out of the repairs in the street. It was held under 2 & 3 Vict. c. xciv, s. 35 (1) (which is in the same terms as this subsection), that an offence had been committed. *Chapman v. Rawlings*, 101 L.T. 605.

If the act complained of is of such a character as to be likely to annoy the inhabitants generally, it is not the less an offence because only one inhabitant is in fact annoyed. See *Innes v. Newman*, [1894] 2 Q.B. 292.

Under a local Act which prohibited the use of obscene language to the annoyance of the inhabitants, it was held that a man who used such language in his house and was heard by two policemen in the street outside was rightly convicted. *Brabham v. Wookey*, 18 T.L.R. 99.

Animals.
Dogs.

- (2) Every person who shall turn loose any horse or cattle, or suffer to be at large any unmuzzled ferocious dog, or set on or urge any dog or other animal to attack, worry, or put in fear any person, horse, or other animal :

Where the owner of cattle allowed them to graze at the side of a highway under the care of a servant, it was held that they were not turned loose within the meaning of this provision, although the servant had no hold of them. *Sherborn v. Wells*, 3 B. & S. 784.

The word "knowingly" is not used in this subsection, and knowledge of the dog's ferocity does not appear to be an essential ingredient in the offence of suffering an unmuzzled ferocious dog to be at large. See *Sherras v. De Rutzen*, [1895] 1 Q.B. 918.

Cattle.

- (3) Every person who by negligence or ill-usage in driving cattle shall cause any mischief to be done by such cattle, or who shall in anywise misbehave himself in the driving, care, or management of such cattle, and also every person not being hired or employed to drive such cattle who shall wantonly and unlawfully pelt, drive, or hunt any such cattle :

The Commissioner is empowered by 20 & 21 Vict. c. cxxxv, s. 18, *post*, p. 25, to make regulations with respect to the driving of cattle within certain parts of the Metropolitan Police District.

Riding on
shafts.

- (4) Every person having the care of any cart or carriage who shall ride on any part thereof, on the shafts, or on any horse or other animal drawing the same, without having and holding the reins, or who shall be at such a distance from such cart or carriage as not to have the complete control over every horse or other animal drawing the same :

There is a similar provision in section 78 of the Highway Act, 1835, *post*, p. 46.

Furious
driving.

- (5) Every person who shall ride or drive furiously, or so as to endanger the life or limb of any person, or to the common danger of the passengers in any thoroughfare :

A similar provision is contained in section 28 of the London Hackney Carriages Act, 1843, under which compensation may be ordered to be paid to a person injured. The offences against the Person Act, 1861, also provides,

35. Whosoever, having the charge of any carriage or vehicle, shall by wanton or furious driving, or racing, or other wilful misconduct, or by wilful neglect, do or cause to be done any bodily harm to any person whatsoever, shall be guilty of a misdemeanour; [imprisonment not exceeding two years, with or without hard labour].

24 & 25 Vict. c. 100.
Furious driving, &c.

Triable at Quarter Sessions.

- (6) Every person who shall cause any cart, public carriage, sledge, truck, or barrow, with or without horses, to stand longer than may be necessary for loading or unloading, or for taking up or setting down passengers, except hackney carriages standing for hire in any place not forbidden by law, or who by means of any cart, carriage, sledge, truck, or barrow, or any horse or other animal, shall wilfully interrupt any public crossing, or wilfully cause any obstruction in any thoroughfare :

Obstruction.

A vacuum cleaning machine placed on a truck 2 feet 8 inches in width was allowed to stand in the carriageway of a street for several hours while a house was being cleaned. This was not longer than was necessary for the purpose of cleaning the house. The street was 30 feet wide, and there was no evidence that any person was in fact obstructed. It was held that no offence had been committed under this subsection. *Dunn v. Holt*, 73 L.J. K.B. 341.

Under the similar provision contained in section 28 of the Town Police Clauses Act, 1847, it was held that persons who blocked up the pavement of a street by standing together or walking abreast, so that anyone who wished to pass was forced into the roadway, could not be convicted of wilful obstruction because the obstruction was not caused by any of the means specified. *R. v. Long*, 52 J.P. 630, 59 L.T. 33; *R. v. Williams*, 55 J.P. 406.

Other provisions relating to the obstruction of highways are contained in 57 Geo. 3, c. xxix, *ante*, p. 17, and 10 & 11 Vict. c. 89, *post*, p. 57; 30 & 31 Vict. c. 134, s. 6, *post*, p. 29; 5 & 6 Will. 4, c. 50, s. 72, *post*, p. 43; 6 & 7 Vict. c. 86, s. 33, *post*, p. 263.

- (7) Every person who shall lead or ride any horse or other animal, or draw or drive any cart or carriage, sledge, truck, or barrow, upon any footway or curbstone, or fasten any horse or other animal so that it can stand across or upon any footway :
- (8) Every person who shall roll or carry any cask, tub, hoop, or wheel, or any ladder, plank, pole, showboard, or placard, upon any footway, except for the purpose of loading or unloading any cart or carriage, or of crossing the footway :
- (9) Every person who, after being made acquainted with the regulations or directions which the Commissioners of Police shall have made for regulating the route of horses, carts, carriages, and persons during the time of divine service, and for preventing obstructions during public processions, and on other occasions hereinbefore specified, shall wilfully disregard or not conform himself thereunto :

Driving on footway.

Rolling cask.

Routes to be observed.

See sections 51 and 52, *ante*, p. 20.

- (11) Every common prostitute or nightwalker loitering or being in any thoroughfare or public place for the purpose of prostitution or solicitation to the annoyance of the inhabitants or passengers :

A deportation order may be made under Article 12 (6) of the Aliens Order, 1920, in the case of an alien who is convicted under this subsection or under section 44 of this Act.

A prostitute behaving in a riotous or indecent manner in the streets is punishable as an idle and disorderly person under 5 Geo. 4, c. 83, s. 3.

Blowing
horns.

- (14) Every person, except the guards and postmen belonging to Her Majesty's Post Office in the performance of their duty, who shall blow any horn or use any other noisy instrument, for the purpose of calling persons together, or of announcing any show or entertainment, or for the purpose of hawking, selling, distributing, or collecting any article whatsoever, or of obtaining money or alms :

A member of the Salvation Army who beat a drum in a street in order to gather a congregation was convicted under this subsection. *Paget v. Phillips*, The "Times," 14th and 30th January, 1890.

See also as to the conductors of metropolitan stage carriages, 6 & 7 Vict. c. 86, s. 33, *post*, p. 263.

Flying kites.

- (17) Every person who shall fly any kite or play at any game to the annoyance of the inhabitants or passengers, or who shall make or use any slide upon ice or snow in any street or other thoroughfare, to the common danger of the passengers.

Section 72 of the Highway Act, 1835, makes it an offence to play at football or any other game on a highway to the annoyance of any passenger.

And it shall be lawful for any constable belonging to the Metropolitan Police Force to take into custody, without warrant, any person who shall commit any such offence within view of any such constable.

Dog carts,
&c.,
prohibited.

- 56.** Every person who within the Metropolitan Police District shall use any dog for the purpose of drawing or helping to draw any cart, carriage, truck, or barrow shall be liable to a penalty not more than forty shillings for the first offence, and not more than five pounds for the second or any following offence.

A similar provision in 1 & 2 Geo. 5, c. 27, s. 9, extends to any person who causes or procures, or, being the owner, permits a dog to be used for this purpose.

Persons
using car-
riages with-
out driver's
consent
liable to
penalty.

- 59.** Every person who shall ride upon or cause himself to be carried or drawn by any carriage within the Metropolitan Police District without the consent of the owner or driver thereof, shall be liable to a penalty not more than five shillings, or if a child apparently under the age of 12 years it shall be lawful for the magistrate to cause such child to be detained until his parent or guardian can attend for the purpose of having such child delivered into his care, and if such parent or guardian, do not so attend before the closing of the police court for the day it shall be lawful for the magistrate to order such child to be discharged.

Horses, car-
riages, &c.,
of offenders
may be
detained.

- 68.** Whenever any person having charge of any horse, cart, carriage, or boat, or any other animal or thing, shall be taken into the custody of any constable under the provisions of this Act, it shall be lawful for any constable to take charge of such horse, cart, carriage, or boat, or such other animal or thing, and to deposit the same in some place of safe custody, as a security for payment of any penalty to which the person having had charge thereof may become liable, and for payment of any expenses which may have been necessarily incurred for taking charge of and keeping the same; and it shall be lawful for any magistrate before whom the case shall have been heard to order such horse, cart, carriage, or boat, or such other animal or thing, to be sold, for the purpose of satisfying such penalty, and reasonable expenses in default of payment thereof, in like manner as if the same had been subject to be distrained, and had been distrained for the payment of such penalty and reasonable expenses.

THE METROPOLITAN MARKET ACT, 1857.

(20 & 21 Vict. c. cxxxv.)

Cattle Driving in Specified Portions of the Metropolitan Police District.

By "The Metropolitan Market Act, 1857" (20 & 21 Vict. c. cxxxv), s. 18, the Commissioners of Police of the Metropolis are empowered from time to time to make such orders, rules, and regulations as they deem expedient with respect to the driving of cattle (including sheep, lambs, and swine, section 2) within so much of the Metropolitan Police District as is within the City of Westminster and the boundaries of the boroughs of Marylebone, Finsbury, the Tower Hamlets, Lambeth, and Southwark, as defined by 2 & 3 Will. 4, c. 64(a), and with respect to the days and hours on and within which and the routes by which cattle shall be driven, and for the control of the drivers: Persons disobeying to be liable to a penalty not exceeding forty shillings. Such orders, &c., are not to be in force until approved by the Secretary of State, and are to be signed by one of the Commissioners, and copies published as directed(b) with respect to the bye-laws for regulating the market.

Commissioners of Police may make regulations as to driving cattle.

Penalty.

See also 2 & 3 Vict. c. 47, s. 54, para. 3, *ante*, p. 22, as to negligence and ill-usage in driving cattle, and sections 3 and 7 of the Metropolitan Streets Act, 1867, at pp. 28, 29.

(a) The following is the definition referred to :—

WESTMINSTER.—The old City and liberties of Westminster, and the duchy liberty.—*Qu.* whether the reference includes this definition.

FINSBURY.—The several parishes of St. Luke's, St. George the Martyr, St. Giles in the Fields, St. George Bloomsbury, St. Mary Stoke Newington, and St. Mary Islington; the several liberties or places of Saffron Hill Hatton Garden, Ely Rents, Ely Place, the Rolls, Glass House Yard, and the Charter House, Lincoln's Inn and Gray's Inn; the parish of St. James and St. John Clerkenwell, except that part thereof which is situate to the north of the parish of Islington; those parts of the respective parishes of St. Sepulchre and St. Andrew Holborn, and of Furnival's Inn and Staple Inn respectively, which are situated without the liberty of the City of London.

MARYLEBONE.—The several parishes of St. Marylebone, St. Pancras, and Paddington.

TOWER HAMLETS.—The several divisions of the liberty of the Tower and the Tower division of Ossulston Hundred.

LAMBETH.—The parish of St. Mary Newington, the parish of St. Giles Camberwell, except the manor and hamlet of Dulwich, and also such part of the parish of Lambeth as is situate to the north of the line hereinafter described, including the extra-parochial space encompassed by such part :

From the point at which the road from London to Dulwich by Red Post Hill leaves the road from London over Herne Hill in a straight line to St. Matthew's Church at Brixton, thence in a straight line to a point in the boundary between the respective parishes of Lambeth and Clapham 150 yards south of the middle of the carriageway along Acre Lane.

SOUTHWARK.—The old borough of Southwark including the Mint and manor of Suffolk; the several parishes of Rotherhithe, Bermondsey, and Christ Church; and the Clink liberty of the parish of St. Saviour.

(b) That is, by copies being painted on boards set up at the entrance of the market, section 14.

By section 19 of the same Act such orders, &c., are not to prevent cattle imported into London by sea from being driven to lairs or fields used as lairs on Sunday, provided they be not so driven within the said limits between 10 and 5, nor without certificate from the

Saving in favour of driving on Sunday cattle imported.

veterinary surgeon appointed to inspect such cattle that it is necessary for their condition and health that they should be so driven.

By the "Islington Parish Act, 1857" (20 & 21 Vict. c. xxi), s. 3, oxen, sheep, swine, and other cattle are prohibited from being driven in the parish of Islington between 12 o'clock on Saturday night, and 12 on Sunday night under a penalty of not exceeding 5*l.*, half to go to the informer and half to the vestry [but as to the latter half see 2 & 3 Vict. c. 71, s. 47]; and section 4 requires any police magistrate or a justice for Middlesex, upon complaint of a witness, to issue a warrant for apprehending the party accused, and authorizes any police or peace officer, who sees the offence committed, to apprehend, and any person to assist in apprehending, the offender without warrant.

Drovers' tickets.

By section 21 power is given to the Common Council to grant licences, tickets, and badges to persons of certified good character and fitness for such situation to act as drover or assistant drover. "It shall not be lawful for any person to act as drover in driving or to aid or assist in driving, any cattle within the London Police District, or so much of the Metropolitan District as aforesaid, unless such person shall have a licence so to do"—Penalty forty shillings. And every licensed drover, and every person licensed to assist in driving cattle, shall at all times, whenever employed in driving cattle, wear his badge conspicuously upon the upper part of the left arm"—Penalty forty shillings.

Compare 30 & 31 Vict. c. 134, ss. 3 and 7, *post*, pp. 28, 29.

It is evident from the wording of the above section that neither licence nor badge is required when a man drives his own cattle.

By section 40 the procedure and application of penalties are the same as under the Metropolitan Police Act, 1839.

Under the above noted provisions Regulations have been made as follows:—

"By virtue of the Metropolitan Market Act, 1857, I, EDWARD RICHARD HENRY, the Commissioner of Police of the Metropolis, make the following Regulations with respect to the driving of cattle, and for the control of persons driving or assisting to drive cattle, and also with respect to the days and hours and the streets and roads by which cattle may be driven within so much of the Metropolitan Police District as is included within the City of Westminster and the Boroughs of Marylebone, Finsbury, The Tower Hamlets, Lambeth and Southwark, defined by 2 & 3 Wm. IV. c. 64:—

REGULATIONS AS TO THE DRIVING OF CATTLE.

1. No drove of oxen, cows, or bullocks exceeding the number of ten shall be driven within the aforesaid limits, unless a licensed drover shall precede such drove, under a penalty not exceeding forty shillings, to be forfeited by the person driving such cattle.

2. No drove of sheep, pigs, or lambs exceeding forty shall be driven within the aforesaid limits unless attended by two drovers at least, and if any person shall drive, or permit or suffer to be driven, within the aforesaid limits, more than forty sheep, pigs, or lambs in any one drove without being accompanied by some other licensed person to assist in attending such drove, every person so offending shall for every offence forfeit any sum not exceeding forty shillings.

3. No person engaged in driving cattle, calves, sheep, pigs, or lambs within the aforesaid limits, shall use any stick or other instrument with a goad or point of greater length than a quarter of an inch, under a penalty not exceeding forty shillings.

4. If any licensed drover, during such time as he shall have the care thereof, shall beat or strike any cattle, calves, sheep, pigs, or lambs on or below the hock, or otherwise beat, bruise or ill-treat such cattle, calves, sheep, pigs, or lambs, he shall for every offence forfeit any sum not exceeding forty shillings.

5. No person engaged in driving cattle, sheep, or lambs within the aforesaid limits shall use more than one dog to any one drove, under a penalty not exceeding forty shillings.

6. In all streets, roads, and places within the said limits all cattle, calves, sheep, pigs, and lambs shall be driven on the left or near side of the carriageway so as to obstruct the thoroughfare as little as possible, and if any person engaged in driving cattle or sheep in any street, road, or place within the aforesaid limits, shall drive, or permit or suffer to be driven, any cattle, calves, sheep, pigs, or lambs upon any part of such street, road, or place, except the left or near side of the carriageway, or shall suffer any such cattle, calves, sheep, pigs, or lambs to spread over such street, road, or place, or otherwise obstruct the thoroughfare thereof, every person so offending shall, for every offence, forfeit any sum not exceeding forty shillings.

7. If any person shall knowingly drive or suffer to be driven within the aforesaid limits, any wild or infuriated cattle, he shall for every such offence forfeit any sum not exceeding forty shillings.

8. Every drover shall, at all times when employed, wear the ticket which shall have been delivered to him, conspicuously upon the upper and outer part of the left arm in such manner that the number thereon shall at all times be distinctly visible and legible, and have about his person his licence, and if any person licensed as aforesaid shall not, at all times when employed, wear the ticket delivered to him as before directed, or shall refuse to produce his licence for inspection when required, to any Police Constable on duty, or shall refuse to permit any person to note the number on his ticket, every person so offending shall, for every offence, forfeit any sum not exceeding forty shillings.

9. No person shall drive cattle within the above-mentioned limits between the hours of 10 a.m. and 7 p.m., except by one of the routes and on the days and between the hours hereinafter mentioned, and any person driving or conducting cattle contrary to these provisions shall be liable for every such offence to a penalty not exceeding forty shillings.

ROUTES BY WHICH CATTLE MAY BE DRIVEN.

1st. Between the Metropolitan Cattle Market and Maiden Lane Goods Yard of the London and North-Western Railway, the Great Western Railway, the London and South-Western Railway and the North London Railway, by way of Market Road, and York Road to the entrance of the Railway Yard in York Road, on any day and at any hour.

2nd. Between the Maiden Lane Goods Yard aforesaid and the Metropolitan Cattle Market, by way of York Road and Market Road on any day and at any hour.

3rd. Between the Metropolitan Cattle Market and the Holloway Goods Yard, Great Northern Railway, Caledonian Road; cattle by way of Market Road, East Road, North Road, and Caledonian Road; sheep by way of East Road, North Road, and Caledonian Road, on any day and at any hour.

4th. Between Holloway Goods Yard, Great Northern Railway, Caledonian Road, and the Metropolitan Cattle Market; cattle by way of Caledonian Road, North Road, East Road, and Market Road; sheep by way of Caledonian Road, North Road, and East Road, on any day and at any hour.

5th. Between the Metropolitan Cattle Market and the Midland Railway Goods Yard, Kentish Town, by way of North Road, York Road, Brecknock Road, Leighton Road, and Kentish Town Road, on Mondays and Thursdays between 10 a.m. and 4 p.m.

6th. Between the Midland Railway Goods Yard, Kentish Town, and the Metropolitan Cattle Market, by way of Kentish Town Road, Leighton Road, Brecknock Road, York Road, and North Road, on Wednesdays and Saturdays between 3 p.m. and 7 p.m.

7th. Between the Metropolitan Cattle Market and the Great Northern Railway Yard at Battle Bridge, by way of Market Road and York Road to the entrance of the Yard in York Road, on Thursdays between 10 a.m. and 4 p.m.

8th. From the Metropolitan Cattle Market to the Great Eastern Railway Cattle Depot at Junction Road, by way of North Road, York Road, Brecknock Road, and Junction Road, on Mondays and Thursdays between 10 a.m. and 4 p.m.

9th. From the Great Eastern Railway Cattle Depot at Junction Road to the Metropolitan Cattle Market, by way of Junction Road, Brecknock Road, York Road, and North Road, on Wednesdays and Saturdays between 3 p.m. and 7 p.m.

In virtue of the powers conferred on me by section 7 of the Metropolitan Streets Act, 1867, I hereby give permission for cattle to be driven or conducted through the streets named in the foregoing Regulations during the hours and subject to the conditions specified in such Regulations.

10th February, 1904.

THE METROPOLITAN STREETS ACT, 1867.

(30 & 31 Vict. c. 134.)

N.B.—For limits of this Act see sections 4 and 10.

Preliminary.

1. This Act may be cited for all purposes as “The Metropolitan Streets Act, 1867.”

This Act is to be construed as one with the Metropolitan Police Acts. See section 28.

Definition of “the Metropolis.” 2. In this Act “the Metropolis” shall mean the City of London and all parishes and places for the time being within the jurisdiction of the Metropolitan Board of Works.

The Metropolis as defined by this section is now the Administrative County of London.

It is defined in detail on p. 4.

Definitions. 3. The following expressions for the purposes of this Act shall, unless the context requires a different construction, have the meanings hereinafter assigned to them; that is to say,

“Magistrate” shall, within the City of London and the liberties thereof, mean the Lord Mayor of the City of London, or any alderman of the said City, sitting alone or with others at the Mansion House or Guildhall, and in the rest of the Metropolis shall mean any metropolitan police magistrate:

“Commissioner of Police,” beyond the limits of the City of London and the liberties thereof, shall mean “the Commissioner of Police of the Metropolis,” and within such limits “the Commissioner of the Police Force of the City of London and the liberties thereof”:

“Street” shall include any highway or other public place, whether a thoroughfare or not: and any of the Royal parks, gardens, and possessions which are managed by the Commissioners of [Her Majesty's] Works [and Public Buildings], in pursuance of 14 & 15 Vict. c. 42, shall, for the purposes of this Act, be deemed to be public places:

“Cattle.” The word “cattle” shall include bull, ox, cow, heifer, calf, sheep, goats, and swine, also horses, mules, and asses, when led in a string or loose.

The words in brackets were repealed by the Statute Law Revision Act, 1893.

As to the meaning of the expression “public place,” see the note to 2 & 3 Vict. c. 47, s. 54, *ante*, p. 21.

4. The expression "the general limits of this Act" shall mean such parts of the Metropolis as are enclosed in a circle of which the centre is Charing Cross, and the radii are *Six Miles* in length, as measured in a straight line from Charing Cross :

General limits of Act.

The expression "the special limits of this Act" shall mean such streets and portions of streets as may be declared to be special limits in manner hereinafter provided.

Special limits of Act.

"Six miles" is substituted for "four miles" in this section by 48 & 49 Vict. c. 18, s. 2.

The special limits of the Act are defined by orders made by the Commissioner under section 10.

By sections 6-9 certain acts are made offences if they are committed within the general limits of the Act. Provisions relating to the special limits are contained in sections 10-16.

PART I.

General Regulations.

6. No goods or other articles shall be allowed to rest on any footway or other part of a street within the general limits of this Act, or be otherwise allowed to cause obstruction or inconvenience to the passage of the public, for a longer time than may be absolutely necessary for loading or unloading such goods or other articles.

As to the deposit of goods in streets within general limits of Act.

Any person doing any act in contravention of this section shall be liable for each offence to a penalty not exceeding forty shillings.

[For the purposes of this Act, the surface of any space over which the public have the right of way that intervenes in any street within the general limits of this Act between the footway and the carriageway shall, notwithstanding any claim of any person by prescription or otherwise to the deposit or exposure for sale of any goods or other articles on such surface, be deemed to be part of the footway.]

The general limits of the Act are defined by section 4, *ante*.

This section does not apply to costermongers, street hawkers, or itinerant traders so long as they carry on their business in accordance with the regulations from time to time made by the Commissioner. See 31 & 32 Vict. c. 5, s. 1, and notes thereto, at pp. 36 and 37, *post*. The words in brackets were repealed by that section.

7. No person shall drive or conduct any cattle through any street within the general limits of this Act between the hours of ten in the morning and seven in the evening, except with the permission of the Commissioner of the Police.

Cattle not to be driven through streets within certain hours.

Any person driving or conducting cattle in contravention of this section shall be liable to a penalty not exceeding ten shillings for each head of cattle so driven or conducted.

See *ante*, p. 25.

The term "cattle" is defined by section 3, *ante*, p. 28.

In the City of London the period between eight in the morning and eight in the evening is substituted by 9 Edw. 7, c. lxxvii, s. 2 (1).

8. Within the general limits of this Act the driver of a metropolitan stage carriage shall not stop such carriage for the purpose of taking up or setting down passengers at any part of a street except as near as may be to the left or near side of the roadway.

Regulations as to metropolitan stage carriages.

Any driver of a metropolitan stage carriage acting in contravention of this section shall be liable for each offence to a penalty not exceeding forty shillings.

Prohibition of carriage of advertisements, except those approved by Commissioner of Police.

9. No picture, print, board, placard, or notice, except in such form and manner as may be approved of by the Commissioner of Police, shall by way of advertisement, be carried or distributed in any street within the general limits of this Act by any person riding in any vehicle, or on horseback, or being on foot.

Any person doing any act in contravention of this section shall be liable for each offence to a penalty not exceeding ten shillings.

This section shall not apply to the sale of newspapers.

No offence is committed under this section by distributing a print which is not itself an advertisement, although the object of the distribution is to advertise. *Gage v. Brealey*, 67 L.J. Q.B. 457.

As to advertisements in public carriages, see para. 13(e) of the Order of the Secretary of State, at p. 40 of Appendix, *post*, made under the Metropolitan Public Carriage Act, 1869, and the London Cab and Stage Carriage Act, 1907, and see *Fulton v. Kelly*, 5 T.L.R. 325, where it was contended that absence of the disapproval of the Commissioner was tantamount to approval, but this contention was unsuccessful.

Special Limits.

Power of Commissioner of Police to make special limits.

10. The Commissioner of Police, with the approval of one of Her Majesty's Principal Secretaries of State, may from time to time direct that any street or portion of a street within the general limits of this Act is to be deemed to be within the special limits of this Act, and may from time to time take any street or portion of a street out of the special limits of this Act : provided,

- (1) That an order made by the Commissioner of Police under this section shall not come into effect until the expiration of ten days from the date of the approval thereof by the Secretary of State :
- (2) That notice that an order has been submitted for the approval of the said Secretary of State under this section in respect of any street or portion of a street shall be affixed to a lamp post or otherwise placarded in some conspicuous position in or near the street or portion of a street to which such intended order relates, and at the principal office of the local authority having charge of such street and of the Metropolitan Police and of the City Police respectively, for not less than twenty-eight days previously to the approval of the said Secretary of State being given to the said order :
- (3) That a copy of such order when approved by the said Secretary of State shall be published in the *London Gazette*, and also affixed to a lamp post or otherwise placarded in some conspicuous position in or near the street or portion of a street to which the said order relates and shall always during the time that the order is in force be kept so affixed or placarded.

A copy of the *London Gazette* containing any order purporting to be made in pursuance of this section shall be evidence of the contents of such order and of the same having been duly made and approved in manner provided by this Act, and until the contrary is proved the

provisions of this Act with respect to the affixing or placarding of such order shall be deemed to have been duly complied with.

The expressions "general limits" and "special limits" of this Act are defined by section 4, *ante*, p. 29.

Notice of an order made under this section may be placarded on lamp posts under section 22, or on tramway standards under 9 Edw. 7, c. lxxv, s. 60, *post*, p. 301.

By an Order made by the Commissioner and dated the 11th October, 1909, the undermentioned streets and portions of streets are to be deemed to be within the special limits of the Act :—

Police Division.*	Name of Street or Place.
A	Bridge Street.
"	Broad Sanctuary.
"	Cannon Row.
"	Charing Cross.
"	Cockspur Street.
"	Derby Street.
"	Great George Street.
"	Horse Guards Avenue.
"	Hyde Park Corner.
"	Parliament Square, South and West sides of.
"	Parliament Street.
"	Princes Street.
"	St. Margaret's Street.
"	Victoria Embankment.
"	Wellington Place.
"	Whitehall.
"	Whitehall Court.
"	Whitehall Place.
B	Brompton Road, from Sloane Street to Hans Road.
"	Buckingham Palace Road, from Victoria Street to Belgrave Road.
"	Knightsbridge, from Hyde Park Corner to Charles Street.
"	Pont Street, from Chesham Street to Sloane Street.
"	Sloane Street.
"	The Broadway, Walham Green.
"	Thurloe Place, from Exhibition Road to Cromwell Place.
"	Wilton Road.
C	Charing Cross Road.
"	Conduit Street.
"	Coventry Street.
"	Cranbourne Street.
"	Deanery Street.
"	Great Stanhope Street.
"	Hamilton Place.
"	Haymarket.
"	Jermyn Street.
"	Leicester Square, North side.
"	New and Old Bond Streets.
"	New Coventry Street.
"	North Audley Street.
"	Park Lane.
"	Piccadilly.
"	Shaftesbury Avenue, from Cambridge Circus to Piccadilly Circus.
"	South Audley Street.
"	South Molton Street.
"	St. James's Street.
"	Wardour Street.
D	Baker Street.
"	Berners Street.
"	Castle Street East.

* Streets and places situated in more than one Division will be found at the end of the list, on p. 33.

Police Division.*	Name of Street or Place.
D	Chapel Street.
"	Great Portland Street.
"	Marble Arch.
"	Marylebone Road, from Euston Road to Chapel Street.
"	Mortimer Street.
"	Orchard Street.
"	Tottenham Court Road.
"	Wigmore Street.
"	York Place.
E	Aldwych.
"	Bow Street.
"	Chancery Lane.
"	Chandos Street, from St. Martin's Lane to Bedfordbury.
"	Duncannon Street.
"	Great Queen Street.
"	High Holborn, from Gray's Inn Road to New Oxford Street.
"	Kingsway.
"	King William Street.
"	Long Acre.
"	New Street, St. Martin's Lane.
"	Red Lion Street.
"	Southampton Buildings.
"	Southampton Row.
"	Strand, from West side of Temple Bar to Charing Cross.
"	Theobald's Road.
"	Vernon Place, Bloomsbury.
"	Villiers Street.
"	Wellington Street.
F	Bishop's Road, from Porchester Terrace to Westbourne Grove.
"	Church Street and Silver Street, Kensington.
"	Harrow Road, Paddington, that part between the South-east corner of Paddington Green and the junction of the Edgware Road, a distance of 193 yards.
"	High Street, Notting Hill.
"	Holland Park Avenue, from Royal Crescent to Shepherd's Bush Green.
"	Kensington High Street, from Kensington Gardens to Hornton Street.
"	London Street, from Praed Street to Grand Junction Road.
"	Pembridge Road.
"	Porchester Road, from corner of Bishop's Road to Porchester Square.
"	Praed Street.
"	Queen's Road, Bayswater.
"	Westbourne Grove.
G	Chiswell Street.
"	Cow Cross Street.
"	Finsbury Pavement, from City Boundary to Chiswell Street.
"	Goswell Road, from City Boundary to Lever Street.
"	High Street, from City Road to White Lion Street.
"	Kingsland Road, from Old Street to Basing Place.
"	Old Street.
"	Pentonville Road, from North Street to York Road.
H	High Street, Whitechapel, to Church Lane.
J	Mare Street, from Amhurst Road to Dalston Lane.
L	Albert Embankment, from Vauxhall Walk to Vauxhall Cross.
"	Bond Street, from Archer Street to Vauxhall Cross.
"	Newington Butts.
"	South Lambeth Road, from Lawn Lane to Vauxhall Cross.
"	Stamford Street.
"	Upper Kennington Lane, from Auckland Street to Vauxhall Cross.

* Streets and places situated in more than one Division will be found at the end of the list, on p. 33.

Police Division.*	Name of Street or Place.
L	Upper Kennington Lane, from the River Thames to Vauxhall Cross.
"	Vauxhall Cross.
"	Wandsworth Road, from the " Three Compasses " Public House to Vauxhall Cross.
"	Waterloo Road.
"	Westminster Bridge Road.
"	York Road.
M	Duke Street to London Bridge.
"	High Street, Borough.
"	New Kent Road, from Elephant Headway to South-Eastern and Chatham Railway Bridge.
"	Newington Causeway.
"	Short Street.
"	Tooley Street.
"	Walworth Road.
S	Hampstead Road, from Euston Road to Amptill Square.
T	Hammersmith Road, from Nazareth House to the Broadway.
"	Hammersmith Broadway.
"	King Street, from the Broadway to Studland Street.
"	Queen Street, from the Broadway to Fulham Palace Road.
X	Hopgood Street.
"	Macfarlane Road.
A and B	Grosvenor Place, from Halkin Street to Hyde Park Corner.
"	Victoria Street.
A and C	Pall Mall.
"	Pall Mall, East.
A and E	Northumberland Avenue.
C and D	Oxford Street.
"	Regent Street.
C and E	Great and Little St. Andrew Streets.
"	St. Martin's Lane and Upper St. Martin's Lane.
"	St. Martin's Place.
D and E	Hart Street, Bloomsbury.
"	New Oxford Street.
D and F	Edgware Road, that part from Hyde Park to Church Street.
D, E, S, and Y	Euston Road.
E and G	Gray's Inn Road.
F and T	Shepherd's Bush Green.
-F, T, and X	Uxbridge Road, from Holland Park Avenue to Hopgood Street.
F and X	Wood Lane, from Uxbridge Road to Little Wormwood Scrubs.
L and M	Blackfriars Road.
"	London Road.
"	St. George's Circus.
"	The Headway, Elephant and Castle, and the whole of the Circus in front of the Headway.

* Streets and places situated in more than one Division will be found at the end of the list.

11. The Commissioner of Police, with the approval of the said Secretary of State, and the Commissioner of the City Police, with the consent of the Court of Mayor and Aldermen, and subject to the approval of the said Secretary of State, may from time to time make regulations to be observed by all persons within the special limits of this Act with respect to the following matters :

Regulations within special limits.

- (1) With respect to the route to be taken by all carts, carriages, or other vehicles, with power to prohibit any cart, carriage, or other vehicle from coming into any street or part of a street within the said limits for the purpose only of passing to its destination in some other street or part of a street :

(2) With respect to the line to be kept by persons riding or driving :

and may, with the like approval, from time to time alter, vary, or repeal any regulation made by them, and make new regulations in addition to or in lieu of any existing regulations ; but this section shall not authorize the Commissioner of Police or the Secretary of State to limit the number of metropolitan stage carriages that may pass down any street in pursuance of their ordinary trade.

Note the words "limit the number" in the last sentence of the section. It is submitted that the Commissioner cannot forbid a street to all stage carriages under the section. (See p. 41.)

This section now applies to the City of London only in the form substituted by 9 Edw. 7, c. lxxvii, see p. 39.

Regulations as to the route to be taken by vehicles can also be made by the Commissioner under 2 & 3 Vict. c. 47, ss. 51, 52, *ante*, p. 20.

The power to make regulations under this section is extended by 3 Edw. 7, c. 17, to the making of regulations to be observed by all persons within the general limits of this Act with respect to the places where and the conditions under which persons may collect money in any street for charitable or other purposes. Regulations with respect to street collections may also be made for the Metropolitan Police District under 6 & 7 Geo. 5, c. 31, s. 5.

Penalty for disobedience to regulations.

12. Any person wilfully disregarding or refusing to conform to any regulation of the Commissioner of Police made in pursuance of this Act shall incur a penalty not exceeding forty shillings for each offence ; and any constable may take into custody without warrant any person who within view of such constable wilfully disregards or refuses to conform to any such regulation, and refuses to give his name and address to such constable ; and any printed copy of such regulations certified under the hand of the Commissioner of Police who made the same to be a true copy of regulations made by him, or purporting to be printed by the Queen's Printer, shall be evidence of such regulations, and until the contrary is proved all such regulations shall be deemed to have been duly made.

Arrest.

Evidence.

Publication of regulations.

13. A printed copy of all regulations made by the Commissioner of Police in pursuance of this Act shall be hung up for public inspection in such places within his district as the Commissioner of Police thinks advisable ; but it shall not be necessary in enforcing any regulation to prove that the provisions of this section have been complied with, nor shall the noncompliance therewith invalidate any regulation.

Regulation of metropolitan stage carriages in special limits.

14. Within the special limits of this Act no driver of or conductor of a metropolitan stage carriage shall take up or set down passengers at any place where he may for the time being be prohibited by regulation of the Commissioner of Police from taking them up or setting them down ; and any driver or conductor acting in contravention of this section shall be liable for each offence to a penalty not exceeding forty shillings.

As to the loading and unloading of coal and casks in streets.

15. Between the hours of ten o'clock in the morning and six o'clock in the evening no coal shall be loaded or unloaded on or across any footway within the special limits of this Act, and between the same hours and within the same limits no casks, whether empty or full (wine or spirits in cask excepted), shall be lowered or drawn up by means of ropes, chains, or other machinery passing across the footway or any part thereof.

Any person doing any act in contravention of this section shall be liable for each offence to a penalty not exceeding forty shillings.

The term "coal" in this section does not include coke. *Fletcher v. Fields*, [1891] 1 Q.B. 790.

16. No person shall, within the special limits of this Act, and between the hours of ten in the morning and seven in the evening, except with the permission of the Commissioner of Police—

- (1) Drive or conduct along any street any cart, carriage, or other vehicle laden with timber, metal, or any other article which exceeds in length 35 feet, or which protrudes more than 8 feet 6 inches behind the vehicle or more than 1 foot from the sides of the vehicle :
- (2) Carry in any way along any street any ladder, scaffold pole, or other article which exceeds 35 feet in length or 8 feet 6 inches in breadth :
- (3) Drive or conduct along any street any cart, waggon, or other vehicle used for conveying goods or merchandise, and drawn by more than four horses :

Prohibition of carriage of timber and other large articles between certain hours.

Any person acting in contravention of this section shall for each offence be liable to a penalty not exceeding forty shillings.

No penalty shall be imposed on or costs awarded against any person for acting in contravention of this section if such person prove to the satisfaction of the magistrate having power to impose the penalty that the act alleged to be in contravention of this section was done on the occasion of a fire or other sudden emergency with a view to prevent accident, or to save life or property.

Any bye-law, rule, order, or regulation made or to be made within the City of London and the liberties thereof that is inconsistent with this section shall be void.

PART II:

Hackney Carriages.

17. The following regulations shall be made with respect to hackney carriages as defined by the Hackney Carriage Acts, and plying within the limits defined for the purposes of those Acts :—

Regulations as to hackney carriages.

- (2) The Commissioner of Police of the Metropolis may from time to time cause to be affixed such plate or mark in such position as he thinks expedient to any hackney carriage certified by him to be in a fit condition for public use, and may cause to be removed such plate or mark whenever such carriage has, after notice to the owner thereof, been determined by him to be in a condition unfit for public use. If any plate or mark adopted by the said Commissioner of Police of the Metropolis for distinguishing hackney carriages that are fit for public use is affixed to any hackney carriage without his authority, or if any plate or mark counterfeiting or resembling such authorized plate or mark is affixed to any hackney carriage, the owner of the carriage, and also the driver (unless such owner or driver proves that he was ignorant of the plate or mark being affixed to the carriage in contravention of this section), shall be liable for each offence to a penalty not exceeding forty shillings :

For the purposes of this Act the expression "Hackney Carriage Acts" shall mean the following Acts: 1 & 2 Will. 4, c. 22; 6 & 7 Vict. c. 86; 13 & 14 Vict. c. 7; 16 & 17 Vict. c. 33; 16 & 17 Vict. c. 127.

No fare to be less than 1s.

26. Where the fare now payable by law on hiring any hackney carriage standing on any stand shall not amount to one shilling the driver shall be entitled to charge one shilling.

As to the fares for cabs, see 7 Edw. 7, c. 55, s. 1, and Appendix, p. 54, *et seq.*

Penalties.

27. Penalties under this Act within the City of London and the liberties thereof shall be recovered and applied in manner directed by 2 & 3 Vict. c. xciv, and beyond the limits of the City of London and the liberties thereof shall be recovered and applied in manner directed by the Acts relating to the Metropolitan Police.

All powers conferred by this Act shall be deemed to be in addition to and not in derogation of any other powers conferred by any other Act of Parliament, and such other powers may be exercised as if this Act had not passed.

As to the application of penalties, see 2 & 3 Vict. c. 71, s. 47.

Construction of Act.

28. This Act, so far as is consistent with the tenor thereof, shall be construed as one with the Acts relating to the Metropolitan Police and to the City Police.

THE METROPOLITAN STREETS ACT AMENDMENT ACT, 1867.

(31 & 32 Vict. c. 5.)

Amendment of s. 6 of 30 & 31 Vict. c. 134.

1. The sixth section of "The Metropolitan Streets Act, 1867," prohibiting the deposit of goods in the streets, shall not apply to costermongers, street hawkers, or itinerant traders, so long as they carry on their business in accordance with the regulations from time to time made by the Commissioner of Police, with the approval of the Secretary of State; [*and so much of the said sixth section as refers to the surface of any space that intervenes in any street between the footway and the carriage-way is hereby repealed*].

See 30 & 31 Vict. c. 134, s. 6, *ante*, p. 29.

The words in brackets were repealed by the Statute Law Revision Act, 1875, 38 & 39 Vict. c. 66; but section 1 of that Act shows that the repealed portion of section 6 of the Metropolitan Streets Act, 1867, still remains repealed.

The following Regulations (dated the 28th December, 1869) have been made by the Commissioner of Police of the Metropolis, and approved by Her Majesty's Principal Secretary of State, for the carrying on of the business of costermongers, street hawkers, and itinerant traders within such parts of the Metropolis as are enclosed in a circle, of which the centre is Charing Cross and the radii are 6 miles in length:—

- (1) "No barrow, cart, or stall for the sale of articles in the street shall exceed 9 feet in length or 3 feet in width, and no part of any such barrow, cart, or stall, as regards the width, shall project beyond the wheels."
- (2) "No barrow, cart, or stall shall be placed or stand in any street or public way alongside another, so as to lessen or obstruct the breadth of such street or public way by more than the width of one barrow, cart, or stall."

- (3) "No barrow, cart, or stall shall be placed or stand in any street or public way within 4 feet (measured along the length of any such street or public way) of another barrow, cart, or stall, which space of 4 feet shall be kept so as to enable passengers to pass and repass between the road and the footway."
- (4) "All costermongers, street hawkers, and itinerant traders shall, when requested to do so by any inhabitant, remove their barrows, carts, and stalls from before the house of such inhabitant, in order to enable him to load or unload any vehicle at his door."
- (5) "No barrow, cart, or stall shall be placed or stand either wholly or in part on any street crossing."
- (6) "Costermongers, street hawkers, and itinerant traders, and their barrows, carts, and stalls are hereby made liable to be removed from any street or public way in which they create an obstruction to the traffic, or where they are an annoyance to the inhabitants."

N.B.—The sixth section of the Metropolitan Streets Act, 1867, prohibiting the deposit of goods in the streets, will not apply to costermongers; street hawkers, and itinerant traders, so long, and so long only, as their business is carried on according to the above regulations.

Regulation 6 does not supersede the remedy which is provided by 2 & 3 Vict. c. 47, s. 60 (7), in cases where an obstruction is caused. *Wandsworth Board of Works v. Pretty*, [1899] 1 Q.B. 1; *Reg. v. Francis*, 86 L.J. Q.B. 609.

A refreshment-house keeper kept a stall in a street where he sold butcher's meat. The stall, which consisted of a costermonger's barrow with one end resting on trestles, was set up in the morning and remained stationary until it was removed at night. It was placed close to the kerb and complied with the Commissioner's regulations. On these facts it was held that the magistrate was justified in finding that the owner was not a "costermonger, street hawker, or itinerant trader." *Baker v. Bradley*, 74 J.P. 341.

Other provisions relating to the placing of barrows and goods in the streets are contained in 57 Geo. 3, c. xxix, s. 65. So long as costermongers, &c., carry on their business in accordance with the police regulations they cannot be proceeded against under that Act. If they do not conform to the regulations they are liable to proceedings under that Act or under section 6 of the Metropolitan Streets Act, 1867, but cannot be convicted twice for the same offence. *Summers v. Holborn Board of Works*, [1893] 1 Q.B. 612; *Keep v. St. Mary's Newington Vestry*, [1894] 2 Q.B. 524.

As to street traders in the City of London, see 1 & 2 Geo. 5, c. lxxiv, s. 24.

3. This Act may be cited for all purposes as "The Metropolitan Streets Act Amendment Act, 1867," and shall be construed as one with the said Metropolitan Streets Act, 1867. Short title.

THE METROPOLITAN STREETS ACT, 1885.

(48 & 49 Vict. c. 18.)

Whereas by the Metropolitan Streets Act, 1867, provisions are made for regulating the traffic of the metropolis and for the greater security of persons passing through the streets, and by section 4 of the said Act it is enacted as follows:— 30 & 31 Vict. c. 134.

"The expression 'the general limits of this Act' shall mean such parts of the Metropolis as are enclosed in a circle of which the centre is Charing Cross, and the radii are four miles in length as measured in a straight line from Charing Cross."

"The expression 'the special limits of this Act' shall mean such streets and portions of streets as may be declared to be special limits in manner hereinafter prescribed."

And whereas it is expedient to extend the general limits of the said Act: Be it therefore enacted, etc.

Short title and construction.

1. This Act may be cited as the Metropolitan Streets Act, 1885, and shall be construed as one with the Metropolitan Streets Act, 1867, and may be cited together with that Act as the Metropolitan Streets Acts, 1867 and 1885.

Extension of limits of 30 & 31 Vict. c. 134.

2. In section 4 of the Metropolitan Streets Act, 1867, "six miles" shall be substituted for "four miles," and the said Act shall take effect and be construed accordingly.

See 30 & 31 Vict. c. 134, s. 4, *ante*, p. 29.

THE PUBLIC HEALTH (LONDON) ACT, 1891.

(54 & 55 Vict. c. 76.)

Prohibition on conveyance of infected person in public conveyance.

70. It shall not be lawful for any owner or driver of a public conveyance knowingly to convey, or for any other person knowingly to place, in any public conveyance, a person suffering from any dangerous infectious disease, or for a person suffering from any such disease to enter any public conveyance, and if he does so he shall be liable to a fine not exceeding ten pounds; and, if any person so suffering is conveyed in any public conveyance, the owner or driver thereof, as soon as it comes to his knowledge, shall give notice to the sanitary authority, and shall cause such conveyance to be disinfected, and if he fails so to do he shall be liable to a fine not exceeding five pounds, and the owner or driver of such conveyance shall be entitled to recover in a summary manner from the person so conveyed by him, or from the person causing that person to be so conveyed, a sum sufficient to cover any loss and expense incurred by him in connection with such disinfection. It shall be the duty of the sanitary authority, when so requested by the owner or driver of such public conveyance, to provide for the disinfection of the same, and they may do so free of charge.

Disinfection of public conveyances if used for carrying corpses.

74. If—

- (a) a person hires or uses a public conveyance other than a hearse for conveying the body of a person who has died from any dangerous infectious disease, without previously notifying to the owner or driver of the conveyance that such person died from infectious disease, or
- (b) the owner or driver does not, immediately after the conveyance has to his knowledge been used for conveying such body, provide for the disinfection of the conveyance,

he shall, on the information of the sanitary authority, be liable to a fine not exceeding five pounds, and if the offence continues to a further fine not exceeding forty shillings for every day during which the offence continues.

THE POST OFFICE ACT, 1908.

(8 Edw. 7, c. 48.)

68.—(1) A hackney carriage shall not stand or ply for hire opposite the General Post Office in London . . . or any part thereof respectively, and if any driver or person having the management of any hackney carriage, permits the same to stand or ply for hire opposite . . . the said post office, he shall be liable on summary conviction to a fine not exceeding five pounds.

Obstruction
in
neighbour-
hood of
General Post
Office.

(2) For the purpose of this provision, every carriage with two or more wheels, whatever may be its form or construction, or the number of persons which it is calculated to convey, or the number of horses by which it is drawn, shall be a hackney carriage within the meaning of this Act, and in all proceedings at law or otherwise, and upon all occasions whatsoever, it shall be sufficient to describe it by the term hackney carriage.

THE CITY OF LONDON (STREET TRAFFIC) ACT, 1909.

(9 Edw. 7, c. lxxvii.)

2.—(1) From and after the passing of this Act section 7 (cattle not to be driven through streets within certain hours) of the Metropolitan Streets Act, 1867, shall in its application to the City be read or have effect as if the hours of eight in the morning and eight in the evening had been referred to therein in lieu of the hours of ten in the morning and seven in the evening.

Regulation
of traffic
within City.

(2) From and after the passing of this Act the Metropolitan Streets Act, 1867, shall in its application to the City be read and have effect as if the following provisions had been inserted therein in lieu of section 11 thereof (that is to say):—

The court of mayor and aldermen with the approval of the said Secretary of State may from time to time make regulations to be observed by all persons within the City with respect to the following matters (namely):—

(a) The route to be taken by all vehicles or any particular class or description of vehicles with power to prohibit or to permit on certain specified conditions either generally or during particular hours the passing of all vehicles or any particular class or description of vehicles into or along any street or part of a street:

Provided that the court of mayor and aldermen shall hold a public inquiry before making any regulation with reference to any of the matters aforesaid:

(b) The line to be kept by persons riding or driving or conducting any animal or vehicle:

(c) [Repealed.]

(d) [Unloading coal, beer casks, &c.]

And section 12 (penalty for disobedience to regulations) and section 13 (publication of regulations) of the said Act shall apply to regulations made under this subsection as if they had been made by the Commissioner of the Police Force of the City of London and the liberties thereof.

3. [Repealed.]

Penalty for obstructing streets.

4. Every person who shall in any way wilfully obstruct the free passage of any street within the City shall for each and every such offence be liable to a penalty not exceeding forty shillings and the provisions of sections 4, 65, 66, and 67, of the City of London (Various Powers) Act, 1900, shall apply as if this section had formed part of that Act.

Crown rights.

5. Nothing in this Act affects prejudicially any estate, right, privilege, or exemption of the Crown.

REGULATIONS made by the Court of Mayor and Aldermen of the City of London, in pursuance of section 2, subsection (2), paragraphs B, C, and D of the City of London (Street Traffic) Act, 1909.

1. Any person loading or unloading any vehicle in Silver Street shall keep such vehicle on the South side of the street.

2. Any person loading or unloading any vehicle in Wood Street, between Gresham Street and Silver Street, shall keep such vehicle on the West side of the street, and any person loading or unloading any vehicle in Wood Street, between Silver Street and London Wall, shall keep such vehicle on the East side of the street.

3. Any person driving or conducting any vehicle or animal at a slow pace in any street, except when proceeding North on Blackfriars Bridge or West on the Victoria Embankment, shall keep such vehicle or animal as near as practicable to the left or near side kerb, and no such person shall negligently or wilfully prevent, hinder, or interrupt any other person, vehicle, or animal ordinarily going at a higher speed from passing.

4. Any person driving or conducting any heavy and slow moving vehicle, proceeding North on Blackfriars Bridge or West on the Victoria Embankment, shall not drive or conduct such vehicle on or across the tram lines, except in any case of emergency when the part of the carriageway outside the tram lines is not available, but shall keep such vehicle as near as practicable to the tram line, having regard to the free passage of the tramcars.

5. Any person driving or conducting any vehicle or animal in any street shall, when meeting any animal or vehicle, other than a tramcar, going in an opposite direction, keep to the left or near side of the road, and shall, when passing any animal or vehicle going in the same direction, keep to the right or off side of the same.

6. [Repealed by City of London (Various Powers) Act, 1911, s. 24, ss. 14.]

7. Between the hours of half-past nine in the morning and seven in the evening on Monday, Tuesday, Wednesday, Thursday, and Friday, and between the hours of half-past nine in the morning and three in the afternoon on Saturday in each week, no coal or coke shall be loaded or unloaded on to any footway, and between the same hours no beer casks or beer barrels, whether empty or full, shall be lowered or drawn up by means of ropes, chains, or other machinery passing across the footway or any part thereof in any of the streets named in the schedule to these regulations.

SCHEDULE

Referred to in the foregoing Regulations.

Adelaide Place.	Finsbury Pavement	Ludgate Circus.
Aldersgate Street.	(South of Fore Street).	Ludgate Hill.
Aldgate.	Fleet Street.	Mansion House Street.
Aldgate High Street	Fore Street.	Moorgate Street.
(West of Minories).	Gracechurch Street.	New Bridge Street.
Barbican.	Gt. Tower St. (W. of Mark	New Broad Street.
Bartholomew Lane.	Gresham Street. [Lane].	Newgate Street.
Bishopsgate (South of	Holborn.	Old Broad Street.
New Street).	Holborn Circus.	Poultry.
Blomfield Street.	Holborn Viaduct.	Princes Street.
Byward Street.	Houndsditch.	Queen Street (Cheapside).
Cannon Street.	King Street (Cheapside).	Queen Victoria Street.
Cheapside.	King William Street.	St. Martin's-le-Grand.
Cornhill.	Leadenhall Street.	St. Paul's Churchyard.
Eastcheap.	Liverpool Street.	St. Swithin's Lane.
Farringdon Street (South	Lombard Street.	Threadneedle Street.
of Stonecutter Street).	London Wall.	Throgmorton Street.
Fenchurch Street.	Lothbury.	Walbrook.

I hereby confirm the foregoing regulations,

Whitehall.

One of His Majesty's Principal

25th May, 1911.

Secretaries of State.

REGULATION OF ROUTE.

Certain of the foregoing statutes, notably 2 & 3 Vict. c. 47, ss. 51 and 52 (p. 20), and 30 & 31 Vict. c. 134, s. 11 (p. 33), give powers to regulate the route of vehicles, &c. The latter statute, as regards the City of London, applies in the form given by 9 Edw. 7, c. lxxvii (p. 39).

The route of cattle is regulated by 20 & 21 Vict. c. cxxxv (p. 25). 2 & 3 Vict. c. 47, s. 52, is made use of to divert traffic when a street is "up."

Public carriages form an important class of traffic needing route regulation. The power given by 30 & 31 Vict. c. 134, s. 11, is much limited by the concluding words of that section, and there seems to be no power under that section to forbid the passage of all stage carriages down a particular street.

The manner in which the routes of stage carriages are controlled is as follows: By Art. 4 (3) (a) of the Cab and Stage Carriage Order (Appendix, p. 38), a stage carriage must conform to the conditions of fitness laid down by the Commissioner, Para. 6 of these conditions (Appendix, p. 65) lays down that the route must be specified. The route must therefore be specified in order to obtain a licence. If a licensed stage carriage departs from the route specified in the application for the licence such licence would be liable to suspension or revocation under the provisions of Art. 15 of the Cab and Stage Carriage Order (Appendix, p. 41).

Furthermore, if a stage carriage plies for hire on a route for which it is unfitted the Commissioner has power to suspend the licence under 16 & 17 Vict. c. 33, s. 2, p. 270. It will be observed that these powers are founded on considerations of public safety, and that there is no power to protect the amenities of a neighbourhood. Hackney carriages may proceed anywhere and their route is uncontrolled, save that by the Park Regulation Act of 1872 and bye-laws thereunder their use is restricted in certain parks.

CHAPTER II.

GENERAL ACTS IN FORCE WITHIN AND OUTSIDE THE
METROPOLIS (COUNTY OF LONDON).

THE SUNDAY OBSERVANCE ACT, 1627, 3 Car. 1, c. 2.

THE SUNDAY OBSERVANCE ACT, 1677, 29 Car. 2, c. 7.

*THE HIGHWAY ACT, 1835, 5 & 6 Will. 4, c. 50.

*THE HIGHWAY ACT, 1864, 27 & 28 Vict. c. 101.

THE LOCAL GOVERNMENT ACT, 1888, 51 & 52 Vict. c. 41.

THE LIGHTS ON VEHICLES ACT, 1907, 7 Edw. 7, c. 45.

THE PROTECTION OF ANIMALS ACT, 1911, 1 & 2 Geo. 5, c. 27.

THE MINISTRY OF TRANSPORT ACT, 1919, 9 & 10 Geo. 5, c. 50.

THE SUNDAY OBSERVANCE ACT, 1627.

(3 Car. 1, c. 2.)

Carriers,
drovers, &c.,
not to travel,
butchers not
to kill or sell
on Sunday.

No carrier with any horse or horses, nor waggonmen with any waggon or waggons nor carmen with any cart or carts nor wainmen with any wain or wains nor drovers with any cattle shall . . . by themselves or any other travel upon the Lord's Day, upon pain that every person and persons so offending shall lose and forfeit twenty shillings for every such offence, or if any butcher by himself or any other for him by his privity or consent shall . . . kill or sell any victual upon the said day, then every such butcher shall forfeit and lose the sum of six shillings and eightpence. . . . [Penalties levied by distress to be given to the poor, and part as reward to informer. To be prosecuted in county where offence is committed. Prosecution within six months.]

Fish carriages are exempt by section 7 of the Fish Carriage Act, 1752, 2 Geo. 3, c. 15.

THE SUNDAY OBSERVANCE ACT, 1677.

(29 Car. 2, c. 7.)

Drovers, &c.,
travelling.

2. And no drover, horse-courser, waggoner, butcher, higgler, their or any of their servants, shall travel or come into his or their inn or lodging upon the Lord's Day or any part thereof upon pain that each and every such offender shall forfeit twenty shillings for every such offence, and that no person or persons shall use, employ or travel upon the Lord's Day with any boat, wherry, lighter, or barge except it be upon extraordinary occasion to be allowed by some justice of the peace of the county or head officer or some justice of the peace of the city, borough, or town corporate where the fact shall be committed, upon pain that every person so offending shall forfeit and lose the sum of five shillings for every such offence.

Using boats,
barges.

[Proceedings on conviction; goods may be seized; penalties to be levied by distress of goods of offender, and to be applied to the use of the poor of the parish.]

Repealed as to so much as prevents any person or persons from using, employing, or travelling on the Lord's Day with any boat, wherry, lighter, or barge, or imposes any penalty or punishment for so doing, 7 & 8 Geo. 4, c. lxxv, s. 1; but see section 3 of the repealing Act as to its extent.

* These Acts do not apply to the City of London, see section 115 of the Act of 1835

THE HIGHWAY ACT, 1835.

(5 & 6 Will. 4, c. 50.)

This Act applies to the Metropolis in addition to any other special legislation. *Back v. Holmes*, 57 L.J.M.C. 37; 51 J.P. 693; 56 L.T. 713.

N.B.—This Act does not apply to the City of London, see section 115 below, p. 49.

5. [In this Act—

“Highways” means all roads, bridges (not being county bridges), carriageways, cartways, horseways, bridleways, footways, causeways, churchways, and pavements. . . .] Interpretation clause.

The expression includes all public bridges, although repairable by a division other than a county, or by individuals, and consequently a hundred bridge. *R. v. Chart and Longbridge*, 1 C.C.R. 237; 34 J.P. 454.

72. If any person shall wilfully ride upon any footpath or causeway by the side of any road made or set apart for the use or accommodation of foot passengers; Offences on footpaths, &c.

This applies only to footpaths or causeways by the side of roads, and not to footpaths in general. *R. v. Pratt*, L.R. 3 Q.B. 64; 32 J.P. 246.

It has been decided in Ireland in *McKee v. McGrath*, [1892] 30 L.R., Ir. 41, that if a person rides a bicycle on a footpath by the side of a road he commits an offence, though no evidence is adduced of the obstruction of foot passengers.

The prohibition in this part of this section is absolute, and is not governed by the words below, “to the injury of such highway or to the injury, interruption, or personal danger of any person travelling thereon.” *Brotherton v. Tittensor*, 1896, 60 J.P. 72.

or shall wilfully lead or drive any horse, ass, sheep, mule, swine, or cattle, or carriage of any description, or any truck or sledge, upon any such footpath or causeway;

By 51 & 52 Vict. c. 41, s. 85 (1) bicycles, tricycles, velocipedes, and other similar machines are to be deemed carriages within this Act, see p. 50.

Where a person is charged with riding a bicycle on a footway, it is not necessary to prove “any injury to such highway, or injury, interruption, or personal danger to any person travelling thereon.” *Brotherton v. Tittensor*, 60 J.P. 72. Compare note (a) on p. 44.

or shall tether any horse, ass, mule, swine, or cattle on any highway so as to suffer or permit the tethered animal to be thereon;

In *Davies v. Mann*, 1842, 10 M. & W. 546, 12 L.J. Ex. 10, the plaintiff had tethered an ass and left it on the highway, and the defendant negligently drove into it and killed it. It was held that, though the plaintiff was acting in breach of this section, he was, nevertheless, entitled to recover, as the defendant was bound to go along the road at such a pace as not to be likely to cause mischief.

or shall cause any injury or damage to be done to the said highway, or the hedges, posts, rails, walls, or fences thereof; Injuring the road, &c.

A person had injured the pavement by carrying heavy machinery over it into his adjoining premises, he having been refused permission to substitute for the pavement a proper carriage access. *Held*, that the magistrate was justified in dismissing a summons against him for causing injury or damage to be done to the highway. *St. Mary Newington v. Jacobs*, L.R. 7 Q.B. 47; 36 J.P. 119.

or shall wilfully obstruct the passage of any footway;

Obstructing passage of footway.

See also 30 & 31 Vict. c. 134, s. 23, as to obstructing the highway by betting in it.

As the public have a common law right to go upon the adjoining land if the road is so foundrous as to be impassable or inconvenient, this section could hardly be intended to have the effect of preventing persons using the footpath where the road is in such a condition as to entitle them to use the adjoining land, as e.g., where the road is under repair and impassable to bicycles and tricycles and other light traffic, but the question has not hitherto come before the courts.

or wilfully destroy or injure the surface of any highway ;

A footway across a field was held to be a highway within this section, and a person who had ploughed it up was held to be rightly convicted for injuring the surface. *Brackenborough v. Thorsby*, 19 L.T. 692.

By damaging banks, causeways, directions posts, milestones, &c.

or shall wilfully or wantonly pull up, cut down, remove, or damage the posts, blocks, or stones* fixed by the said surveyor as herein directed, or dig or cut down the banks which are the securities and defence of the said highways ; or break, damage, or throw down the stones, bricks, or wood fixed upon the parapets or battlements of bridges, or otherwise injure or deface the same ; or pull down, destroy, obliterate, or deface any milestone or post, graduated or direction post or stone, erected upon any highway ;

Playing at football, &c.

or shall play at football or any other game on any part of the said highways, to the annoyance of any passenger or passengers ;

A conviction was obtained against a person playing football on the evidence of a constable that two horses were frightened, though there was no other evidence of annoyance. *Woolley v. Corbishley*, 1860, 24 J.P. 773.

A mock hunt, with fancy dresses and trumpets, by a crowd after a man dressed like a stag is a game. *Papping v. Maynard*, 27 J.P. 745.

By pitching tent.

or if any hawker, higgler, gipsy, or other person travelling, shall pitch any tent, booth, stall, or stand, or encamp, upon any part of any highway ;

By making fires ;

or if any person shall make or assist in making any fire (a) or shall wantonly fire off any gun or pistol, or shall set fire to or wantonly let off or throw any squib (b), rocket, serpent, or other firework whatsoever within 50 feet of the centre of such carriageway or cartway ; or bait, or run for the purpose of baiting, any bull, upon or near any highway ; or shall lay (c) any timber, stone, hay, straw, dung, manure, lime, soil, ashes, rubbish, or other matter or thing whatsoever upon such highway, to the injury of such highway, or to the injury, interruption, or personal danger of any person travelling thereon ;

by baiting bulls ;

by laying timber, &c.

(a) These words are governed by the words below, " to the injury of such " highway, or to the injury, interruption, or personal danger of any person " travelling thereon." *Stinson v. Browning*, 12 Jurist, N.S. 262 (also reported; but the judgment less fully, L.R. 1 C.P. 321) ; so if a lighted tar barrel be rolled on a highway and no one is injured or endangered, it is not within this section. *Hill v. Somerset*, 51 J.P. 742.

If a gun be fired actually from the highway at driven game passing over it, and proper precautions are taken to see that no one is upon the highway at the time, no offence has been committed. *Lees v. Stone*, 88 L.J. K.B. 1159 ; 121 L.T. 154.

(b) See 38 & 39 Vict. c. 17, s. 80, and 2 & 3 Vict. c. 47, s. 54 (15).

(c) Two and not four offences are created by these words, viz., (a) where the laying of " timber, &c.," is " to the injury of the highway," and (b) where it is " to the injury, interruption, &c.," of a traveller. *Smith v. Perry*, [1906] 1 K.B. 262.

By running of filth.

or shall suffer any filth, dirt, lime, or other offensive matter or thing whatsoever to run or flow into or upon any highway from any house, building, erection, lands, or premises adjacent thereto ;

By obstructing passage.

or shall in any way wilfully obstruct the free passage of any such highway ;

See 24 & 25 Vict. c. 97, ss. 33, 34, Malicious Damage Act, 1861.

See also as to interrupting passage, s. 78, *post*, p. 47.

Police Act.

2 & 3 Vict. c. 47, s. 54, *ante*, pp. 21-24, prohibit nuisances in thoroughfares in the Metropolitan Police District ; anyone, including the police, may initiate a prosecution. *Back v. Holmes*, 57 L.J.M.C. 37 ; 51 J.P. 693 ; 56 L.T. 713.

* This refers to the stones, posts, and blocks directed by section 24 to be placed by the surveyor, containing the name of the next market town, &c., marking boundaries, guiding travellers by the safest tract through floods, and protecting horse and foot causeways from carriages.

A lecturer stood on a chair in a wide part of a street in a town, and for an hour and a half addressed a crowd. There was room for vehicles to pass round the crowd, but to have driven across the centre would have been dangerous. *Held*, that the justices were right in convicting him of obstruction. *Homer (or Horner) v. Cadman*, 50 J.P. 180; 55 L.J.M.C. 110.

Singing hymns and drawing a crowd may also amount to an obstruction within this section, *Back v. Holmes*, *supra*. So also erecting booths or stalls at statute fairs, *Simpson v. Wells*, 26 L.T. 163; or an innkeeper allowing on market days his guests' vehicles to stand on a piece of land opposite his house, there being no evidence to justify such a user, and it being shown that the public could pass through the land if not obstructed, *Gerring v. Barfield*, 28 J.P. 615. But booths may be erected on a highway at a fair if the custom is immemorial and reasonable. *Elwood v. Bullock*, 6 Q.B. 383. It is an unreasonable user of a highway to allow a horse-van or roller to be on the side of a highway; and where a horse has taken fright at such objects damages have been recovered. *Harris v. Mobbs*, 39 L.T. 164; *Wilkins v. Day*, 12 Q.B.D. 110; 48 J.P. 6.

Allowing rain-water to drop from the eaves of buildings is not an offence within this enactment, *Croasdill v. Ratcliffe*, 5 L.T.N.S. 834, 26 J.P. 165; nor is allowing the growth of trees or underwood over and across the highway. Per Mellor and Quain, J.J.—Cockburn, C.J., doubting. *Walker v. Horner*, 1 Q.B.D. 4. Nor is failure to light a tree, which has been blown across a highway by a gale, within the section. *Hudson v. Bray*, 86 L.J. K.B. 576; [1917] 1 K.B. 520.

The surveyor of a local board, in repairing a road, having placed stones thereon, and allowed them to remain at night without sufficient fence or light, was held to have been rightly convicted under this paragraph. *Fearnley v. Ormsby*, 4 C.P.D. 136. See also section 56.

Omission to remove an obstruction after notice may constitute an offence within this paragraph; as where a tenant of land adjoining a highway, in a cutting, did not remove, after repeated notice, stones and soil which had fallen on the highway owing to subsidence of a retaining wall. *Gully v. Smith*, 12 Q.B.D. 121; 48 J.P. 309.

Leaving a motor car unattended may be an offence under the final provision of section 72, but a conviction for so doing cannot be endorsed on the driver's licence under section 4 (1) of the Motor Car Act, 1903, for it is not an offence in connection with the driving of a motor car. *R. v. Lyndon, ex parte Moffat*, 1908, 72 J.P. 227; *R. v. West Riding J.J., ex parte Shackleton*, [1910] 1 K.B. 439.

Every person so offending in any of the cases aforesaid shall for each and every such offence forfeit and pay any sum not exceeding forty shillings over and above the damages occasioned thereby.

For application of penalties, see section 103 below. An order for the payment of compensation is a bar to recovery in a subsequent civil action for damages for negligence. *Wright v. London General Omnibus Company*, [1877] 2 Q.B.D. 271.

GENERAL NOTE TO SECTION 72.—The object of this section is not to deal with all indictable offences in relation to highways, but only with wilful obstruction of the character specified in the section. *Walker v. Horner*, 1875, 1 Q.B.D. 4; *Croasdill v. Ratcliffe*, 1862, 26 J.P. 165; 5 L.T. 834.

"Wilfully" in the section means "purposely." *Fearnley v. Ormsby*, 1879, 4 C.P.D. 136; *R. v. Senior*, [1899] 1 Q.B. 290.

Proceedings under this section may be initiated by anyone. It does not rest with the vestry or surveyor. *Back v. Holmes*, 1887, 56 L.T. 713, 57 L.J.M.C. 37, 51 J.P. 693 (in that case the police initiated proceedings). Where a summons under this section for wilfully obstructing a highway is dismissed by a justice the informant has no right to appeal under section 105 against the acquittal of the accused. *R. v. Keepers of the Peace and Justices of the County of London*, 1890, 25 Q.B.D. 357; 6 T.L.R. 389. A case may, however, be stated for the opinion of the High Court under 20 & 21 Vict. c. 43, s. 2, whether proceedings before justices have resulted in acquittal or conviction. *Davys v. Douglas*, 1859, 28 L.J.M.C. 193.

The section may be enforced within Metropolitan area, *Back v. Holmes*, 1887, 56 L.T. 713; *Harvey v. Vestry of Bethnal Green*, 1874, 38 J.P. 743; *Vestry of St. Mary Newington v. Jacobs*, 1871, L.R. 7, Q.B. 47, 36 J.P. 119; or within an urban district, *Hawkins v. Robinson*, 1872, 36 J.P. 756, as well as within a rural district.

Obstructing passage by drawing a crowd.

Names of owners to be painted on all waggons, &c., in the manner herein mentioned.

76. The owner of every waggon, cart, or other such carriage shall paint or cause to be painted in one or more straight line or lines, upon some conspicuous part of the right or off-side of his waggon, cart, or other such carriage, or upon the off-side shafts thereof, before the same shall be used on any highway, his christian name and surname, or the style and title by which he is commonly designated, and the place of his trade or abode or the christian name and surname and place of trade or abode of a partner or owner thereof, at full length, in large legible letters in white upon black, or black upon white, not less than 1 inch in height, and continue the same thereupon so long as such waggon, cart, or other such carriage shall be used upon any highway; and every owner of any waggon, cart, or other such carriage, who shall use or allow the same to be used on any highway without the name and descriptions painted thereon as aforesaid, or who shall suffer the same to become illegible, or who shall paint or cause to be painted any false or fictitious name or place of trade or abode on such waggon or cart or other such carriage, shall forfeit and pay, on conviction, for every such offence, a sum not exceeding forty shillings, with or without costs, as the justices before whom the conviction takes place shall think fit.

Held, that a light spring cart with two wheels, for which duty was paid, did not come within this enactment—the words following “waggon” meaning something *ejusdem generis*. *Danby v. Hunter*, 5 Q.B.D. 20; 44 J.P. 283.

1 & 2 Will. 4, c. 22, ss. 59, 60, *post*, p. 251; 6 & 7 Vict. c. 86, ss. 4 and 7, *post*, p. 255, as to hackney carriages, &c., within 5 miles from the General Post Office and in the Metropolis respectively, contain similar provisions and the penalties are 5*l.* and 1*l.* respectively.

One driver may take charge of two carts, provided they are drawn only by one horse each.

77. No one person shall act as the driver of more than two carts, waggons, or other such carriages on any highway; provided always, that it shall and may be lawful for any one person to act as the driver of two carts, waggons, or other such carriages on any highway, and for such carts to pass and travel on any highway being only under the care and superintendence of such single person: provided always, that such carts, waggons, or other carriages, when under the care of only one person, shall not be drawn by more than one horse each, and the horse of the hinder cart, waggon, or other carriage shall be attached by a rein in length not exceeding 4 feet to the back of the cart, waggon, or other carriage which shall be foremost; and in case the said horse be not so attached, the driver of the said carts, waggons, or other carriages, shall forfeit, on conviction, the sum of twenty shillings, to be recovered as other penalties are by this Act to be recovered.

See 2 & 3 Vict. c. 47, s. 54, para. 4, *ante*, p. 22, as to the Metropolitan Police District: penalty not exceeding 40*s.*

Drivers of waggons or carts not to ride thereon unless some other person guide them.

78. If the driver of any waggon, cart, or other carriage of any kind shall ride upon any such carriage, or upon any horse or horses drawing the same, on any highway, not having some other person on foot or on horseback to guide the same (such carriages and carts as are driven with reins, and are conducted by some person holding the reins of all the horses drawing the same, excepted);

Drivers causing hurt or damage to others, or quitting the road.

or if the driver of any carriage whatsoever on any part of any highway shall by negligence or wilful misbehaviour cause any hurt or damage to any person, horse, cattle, or goods, conveyed in any carriage, passing or being upon such highway, or shall quit the same, and go on the other side of the hedge or fence inclosing the same, or negligently or wilfully be at such distance from such carriage, or in such a situation whilst it shall be passing upon such highway that he cannot have the direction and government of the horses or cattle drawing the same, or

shall leave any cart or carriage on such highway, so as to obstruct the passage thereof ;

This part of the section applies to the case of a driver leaving a carriage standing by the roadside. *Phythian v. Baxendale*, 1895, 1 Q.B. 768. Cf. *Ruoff v. Long and Co.*, 1916, 1 K.B. 148.

A conviction was obtained against a defendant under this Act. The defendant was afterwards prosecuted under another Act which covered the same offence. The second prosecution failed because a person cannot be twice punished for the same cause, *transit in rem judicatam*.

Wemyss v. Hopkins, L.R. 10 Q.B. 378.

See also 2 & 3 Vict. c. 47, s. 54, para. 4, *ante*, p. 22, and 6 & 7 Vict. c. 86, s. 28, and the references there as to similar offences in Metropolitan Police District.

or if any person shall drive or act as the driver of any waggon, cart, or other such carriage, not having the owner's name as hereby required painted and remaining legible thereon, and shall refuse to tell or to discover the true christian and surname of the owner or principal owners of such waggon, cart, or carriage ;

Or driving waggon, &c., without owner's name.

An action of trespass was successfully brought against a justice who, acting under the similar provision of an earlier statute, 13 Geo. 3, c. 78, s. 60, stopped the horses and removed the driver from a position in which he had placed himself to hide the name painted on a vehicle. *Jones v. Owen*, 1823, 2 D. & R. 600.

See note to Local Government Act, 1888, p. 51.

"As hereby required," i.e., by section 76, *supra*.

If within 5 miles of General Post Office, penalty 5*l*. See 1 & 2 Will. 4, c. 22, s. 60, p. 252.

or if the driver of any waggon, cart, or other carriage whatsoever, or of any horses, mules, or other beast of draught or burden meeting any other waggon, cart, or other carriage, or horses, mules, or other beasts of burden, shall not keep his waggon, cart, or carriage, or horses, mules, or other beasts of burden, on the left or near side of the road ;

Or not keeping the left or near side.

or if any person shall in any manner wilfully prevent any other person from passing him, or any waggon, cart, or other carriage or horses, mules, or other beasts of burden, under his care, upon such highway, or by negligence or misbehaviour prevent, hinder, or interrupt the free passage of any person, waggon, cart, or other carriage, or horses, mules, or other beasts of burden, on any highway, or shall not keep his waggon, cart, or other carriage, or horses, mules, or other beasts of burden on the left or near side of the road, for the purpose of allowing such passage ;

Or interrupting free passage.

See notes on rule of the road on p. 80. It will be noticed that the section gives no express direction to the vehicle which is overtaking another. Compare Town Police Clauses Act, 1847, s. 28, p. 60, and City of London Street Traffic Act, 1909, and regulations thereunder, p. 40.

The free passage of a highway may be obstructed by a horse and cart, although they are left in charge of a person. It is a question for the justices whether there is an obstruction in fact. *Hinde v. Evans*, 96 L.T. 20 ; 70 J.P. 548. See also *Gill v. Carson & Nield*, [1917] 2 K.B. 675, evidence required of obstruction by leaving horses and carts unattended ; see also *Teale v. Williams*, [1914] 3 K.B. 395.

A waggon was driven on the wrong side of the road. The driver signalled to the driver of a motor car overtaking him that the latter might pass the waggon on the near or wrong side of the road. There was no other traffic on the road at the time. The driver of the waggon did not in these circumstances commit an offence against this section. *Nuttall v. Pickering*, [1913] 1 K.B. 14. See also *Umphray v. Ganson Bros.*, 1917, S.C. 371 ; see also p. 82.

or if any person riding any horse or beast, or driving any sort of carriage, shall ride or drive the same furiously so as to endanger the life or limb of any passenger ;

Or riding or driving furiously.

Riding is included in the word "driving" in this section. *Williams v. Evans*, L.R. 1 Ex. D. 277.

"Carriage" here includes a bicycle. *Taylor v. Goodwin*, 4 Q.B.D. 228. See *Bicycles, &c.*, p. 51.

"Any passenger" includes anyone who might be expected to be on the highway. It is not necessary to prove in fact that anyone was on the highway and in danger. A person, who is the only occupant of a vehicle going at a furious pace, "drives" the vehicle, although he be asleep. *Chatterton v. Parker*, 1914, W.N. 206.

See also 2 & 3 Vict. 47, s. 54, para. 5, *ante*, p. 22, 6 & 7 Vict. c. 86, s. 28, *post*, p. 261; and 24 & 25 Vict. c. 100, s. 35, as to similar offences.

If not the owner, to forfeit not exceeding 5*l*. If he be the owner, not exceeding 10*l*.

[penalty, on conviction before any two justices, in addition to any civil action to which he may make himself liable, not exceeding five pounds, in case such driver be not the owner of such waggon, cart, or other carriage, and in case the offender be the owner of such waggon, cart, or other carriage, then not exceeding ten pounds; in default, imprisonment with hard labour not exceeding six weeks];

See as to application of penalties, section 103 below.

Arrest.

and every such driver offending in either of the said cases shall and may, by the authority of this Act, with or without any warrant, be apprehended by any person who shall see such offence committed, and shall be conveyed before any justice of the peace to be dealt with according to law;

Proceeding if driver will not discover his name.

and if any such driver in any of the cases aforesaid shall refuse to discover his name, it shall and may be lawful for the said justice of the peace before whom he shall be taken, or to whom any such complaint shall be made, to commit him to the common gaol or house of correction, there to be kept to hard labour for any time not exceeding three months, or to proceed against him for the penalty aforesaid by a description of his person and the offence only, without adding any name or designation, but expressing in the proceedings that he refused to discover his name.

See 42 & 43 Vict. c. 49, ss. 4 (last para.), 20 (7), (10), also ss. 49-54, as to procedure.

See *Jones v. Owen*, 2 D. & R. 600.

Securing unknown offenders.

79. And whereas offences may be committed against this Act by persons whose names are unknown to the surveyor, assistant surveyor, or district surveyor.

It shall be lawful for the surveyor, assistant surveyor, or district surveyor, or any person acting under his authority, and such other person as he shall call to his assistance, or any other person witnessing the commission of the offence, without any other authority than this Act, to seize and detain such unknown person who shall commit any such offence and take him forthwith before any justice of the peace, who shall proceed and act with respect to such offence according to the provisions of this Act.

Compare section 78—driver to discover his name.

This section does not give any power to stop a cyclist for merely riding without a light after lighting-up time, even in order to obtain his name and address, see p. 51.

Halton v. Treeby, [1897] 2 Q.B. 452; 66 L.J. Q.B. 729.

Procedure.

Application of penalties.

103. [Forfeitures, costs, and charges may be levied (unless otherwise directed) by distress and sale, and in default of distress by imprisonment with hard labour; penalties payable, half to the informer, and the rest (or if the surveyor is the informer, the whole) to the repair of the parish highways, unless otherwise directed by this Act.]

Penalties recovered in a Metropolitan Police Court are payable to the Receiver under 2 & 3 Vict. c. 71, s. 47.

See 2 & 3 Vict. c. 71, s. 34, as to power to lessen the informer's share.

105. [Appeal may be made to quarter sessions against conviction.]

There is no appeal from an acquittal on proceedings instituted by complaint under this Act. *R. v. London JJ.*, 25 Q.B.D. 357; 6 T.L.R. 389.

See now 4 & 5 Geo. 5, c. 58, s. 37.

110. The several fees hereafter limited and expressed and no others, shall be taken by the clerk of the peace, . . . or others, for their several respective services in the execution of this Act; (that is to say) sixpence for every information; one shilling for every summons or warrant, and sixpence for the service thereof; sixpence for every notice and sixpence for the service thereof; one shilling for every order, and sixpence for the service thereof; two shillings for every warrant of distress; one shilling for every appointment; and two shillings for every conviction.

Amount of fees.

[Proviso as to amount of fees in proceedings for recovery of rates in any place regulated by a local Act.]

Repealed as to clerks to justices by 4 & 5 Geo. 5, c. 58, s. 44.

See 2 & 3 Vict. c. 71, s. 43, and 60 & 61 Vict. c. 26, s. 2, as to fees to be taken in police courts.

112. Nothing in this Act contained shall be construed to abridge, repeal, alter, amend, or interfere with the powers and provisions contained in the Metropolitan Paving Act, 1817 [57 Geo. 3, c. xxix], or the powers and provisions contained in any Act relating to any particular parish or place for any of the purposes in this Act mentioned.

Saving for local Acts.
Ante, p. 17.

113. [Act not to extend to roads, &c., which may be paved, repaired, cleansed, broken up, or diverted under any local or personal Act.]

Savings.

It is submitted that this section does not relieve traffic of the duty to obey the rules imposed by the Act when on roads affected by this section. Read by itself, the section is not very clear, but when read in conjunction with section 44 of the Highway Act of 1862, it appears to be directed at such matters as diversion and stopping up of highways only. *Denman, C.J.*, in *R. v. Paynter*, 1849, 13 Q.B. 399, which was a rating case, said that "the true meaning of the clause is that nothing in this Act shall apply in respect of paving, &c., of roads which are paved under a local Act."

115. Provided . . . that nothing in this Act . . . shall extend to alter or in any manner affect the City of London . . . (or alter or diminish the power of the Lord Mayor within the City or as Conservator of the Thames).

Streets in the City of London are controlled by the City Commissioners of Sewers under the City of London Sewers Acts, 1848, 11 & 12 Vict. c. clxiii, and 14 & 15 Vict., 1851, c. xci. See also the Metropolitan Paving Act, 1817, p. 17.

Traffic in the streets of the City is controlled by the City of London (Street Traffic) Act, 1909, and regulations made thereunder, see p. 40. As to Thames see *post*, p. 421.

THE HIGHWAY ACT, 1864.

(27 & 28 Vict. c. 101.)

25. . . . If any horse, mare, gelding, bull, ox, cow, heifer, steer, calf, mule, ass, sheep, lamb, goat, kid, or swine, is at any time found straying on or lying about any highway, or across any part thereof, or by the sides thereof (except on such parts of any highway as pass over any common or waste or uninclosed ground), the owner or owners thereof, shall, for every animal so found straying or lying, be liable to

Provisions as to cattle found straying, &c., on highways,

a penalty not exceeding five shillings, to be recovered in a summary manner, together with the reasonable expense of removing such animal from the highway where it is found to the fields or stable of the owner or owners, or to the common pound (if any) of the parish where the same shall be found, or to such other place as may have been provided for the purpose: Provided always, that no owner of any such animal shall in any case pay more than the sum of thirty shillings, to be recovered as aforesaid, over and above such reasonable expenses as aforesaid, including the usual fees and charges of the authorized keeper of the pound: Provided also that nothing in this Act shall be deemed to extend to take away any right of pasturage which may exist on the sides of any highway.

This Act (by section 2) is to be construed as one with the Highway Act, 1862, 25 & 26 Vict. c. 61, and that Act (by section 42) is to be construed as one with the Highway Act, 1835, 5 & 6 Will. 4, c. 50.

Cattle are lawfully on a highway only for the purpose of passing and repassing. *Dovaston v. Payne*, 1795, 2 H.Bl. 527.

The owner of cattle found straying on the gravelled or metalled part of a highway is liable to a penalty, notwithstanding he has a right of pasturage on the sides of it. *Golding v. Stocking*, L.R. 4 Q.B. 516.

The owner of sheep found lying about a highway is liable to a penalty under this enactment, notwithstanding the sheep are with a keeper. *Lawrence v. King*, 3 Q.B. 345; 37 L.J. M.C. 78. See further as to straying sheep. *Heath's Garage, Ltd. v. Hodges*, [1916] 2 K.B. 370 C.A.

It was held, under 4 Geo. 4, c. 95, s. 75, that horses grazing on the side of a turnpike road under the control of a man in charge of them were not liable to be impounded as "wandering, straying, or lying about" the road. *Morris v. Jeffries*, L.R. 1 Q.B. 261. In *Lawrence v. King* above, *Morris v. Jeffries* seems to be regarded as still applicable, a distinction being there taken between facts of the two cases.

See also 2 & 3 Vict. c. 47, s. 54, para. 2, *ante*, p. 22; and for further powers in urban districts, the Towns Police Clauses Act, 1847, p. 60.

THE LOCAL GOVERNMENT ACT, 1888.

(51 & 52 Vict. c. 41.)

Regulations for Bicycles, etc.

Regulations
for bicycles,
&c.

85. (1) . . . Section 23 (1) of the Municipal Corporations Act, 1882 [45 & 46 Vict. c. 50], in so far as it gives power to the council to make bye-laws regulating the use of carriages herein referred to, and all other provisions of any public or private Acts, in so far as they give power to any local authority to make bye-laws for regulating the use of bicycles, tricycles, velocipedes, and other similar machines are hereby repealed, and bicycles, tricycles, velocipedes, and other similar machines are hereby declared to be carriages within the meaning of the Highway Acts; and the following additional regulations shall be observed by any person or persons riding or being upon such carriage:—

Lights.

- (a) During the period between one hour after sunset and one hour before sunrise, every person riding or being upon such carriage shall carry attached to the carriage a lamp which shall be so constructed and placed as to exhibit a light in the direction in which he is proceeding, and so lighted, and kept lighted as to afford adequate means of signalling the approach or position of the carriage;

Sounding
bell, &c.

- (b) Upon overtaking any cart or carriage, or any horse, mule, or other beast of burden, or any foot passenger, being on or proceeding along the carriageway, every such person shall within a reasonable distance from and before passing such cart

or carriage, horse, mule, or other beast of burden, or such foot passenger, by sounding a bell or whistle, or otherwise give audible and sufficient warning of the approach of the carriage ; Bicycles.

(2) [Penalty for each and every offence against these Regulations, not exceeding forty shillings.]

Penalties recovered in Metropolitan Police Courts are payable to the Receiver under 2 & 3 Vict. c. 71, s. 47.

Before this Act it had been decided that a person riding a bicycle furiously could be convicted under section 78 of the Highway Act, 1835. *Taylor v. Goodwin*, 1879, 4 Q.B.D. 228.

This Act makes it plain that bicyclists, and *a fortiori* motor bicyclists, are subject to the same regulations as carriages under the Highway Act. Consequently in the case of an offence under the Highway Act the provisions of section 79 of that Act apply and the offender may be detained and taken before a justice. It is otherwise, however, in the case of an offence created by the above section 85, for there is no provision enabling a constable or other person to detain the offender. Thus in *Hatton v. Treeby*, 1897, 2 Q.B. 452, 66 L.J. Q.B. 729, a constable was found liable to assault because he detained a cyclist who was riding without a lamp. The constable has no power to stop a person committing this offence or the offence created by subsection 85 (1) (b) above. (In this connection, see also *Jones v. Owen*, 2 D. & R. 600, and p. 47, *supra*.)

The main offences peculiar to bicyclists created by the Highway Act are riding on the footpath (see section 72 of that Act, p. 43) and riding furiously (see section 78 of that Act, p. 47). This latter offence is also an offence under section 35 of the Offences Against the Person Act, 1861, if the cyclist causes injury to any person. *R. v. Parker*, 59 J.P. 793.

Though bicycles, &c., are made carriages by this section for the purpose of the Highway Acts and the protection of the public, a distinction must be drawn between these Acts and other Acts and Regulations. Thus, bicycles are not liable to toll under a Turnpike Act, *Williams v. Ellis*, 1880, 5 Q.B.D. 175, or under private Acts imposing tolls on "carriages," *Plymouth, Stonehouse and Devonport Tramways Co. v. General Tolls Co., Ltd.*, 1898, 14 T.L.R. 531; *Simpson v. Teignmouth and Shaldon Bridge Co.*, 1903, 1 K.B. 405; *Smith v. Kynnersley*, 1902, 66 J.P. 679, [1903] 1 K.B. 788 C.A.; though in the case of *Cannan v. Earl of Abingdon*, 1900, 2 Q.B. 66, a bicycle was held to be a "carriage" and liable to toll within the meaning of the local Act.

A bicycle or tricycle propelled by mechanical power is a locomotive (see p. 161), though for the purpose of the Highway Acts it may no doubt still be a "carriage."

A bicycle to which section 85 (1) (a) above applies does not come under the Lights on Vehicles Act (see section 5 of that Act at p. 52).

The expression "sunset" means the time at which the sun sets at the place in question, and not the time of its setting at Greenwich. *Gordon v. Cann*, 68 L.J. Q.B. 434; 80 L.T. 20.

THE LIGHTS ON VEHICLES ACT, 1907.

(7 Edw. 7, c. 45.)

Further information as to lights to be carried by motor vehicles and public carriages will be found on p. 180 and p. 279 and in the Road Vehicles (Registration and Licensing) Regulations, 1921, see p. 222, and in the general note at the end of this Act.

1. (1) Subject to the provisions of this Act, every person who shall cause or permit any vehicle to be in any street, highway, or road, to which the public have access, during the period between one hour after sunset and one hour before sunrise shall provide such vehicle with a lamp or lamps in proper working order, and so constructed and capable of being so attached as when lighted to display to the front a white light visible for a reasonable distance. If only one lamp is so provided, it shall be placed on the off or right side of the vehicle, and, if the lamp or lamps are so constructed as to permit a light to be seen from the rear, that light shall be red.

A petrol lorry carried one head light only. An accident occurred, and it was alleged that for safety one head light was insufficient. There was evidence that in the neighbourhood it was usual for a petrol lorry to carry two head lights. It was held that on the facts the driver of the petrol lorry had been negligent. Strict compliance with the statutory requirement is not an answer to an allegation of negligence. *Wintle v. Bristol Tramways and Carriage Co., Ltd.*, [1917] 86 L.J. K.B. 240, 936 C.A., 116 L.T. 125.

Projecting loads.

(2) He shall also, if the vehicle is used for the purpose of carrying timber or any load projecting more than 6 feet to the rear, provide the same with a lamp or lamps in proper working order and so constructed and capable of being so attached as when lighted to display to the rear a red light visible for a reasonable distance.

(3) Every person driving or being in charge of any vehicle in any street, highway, or road, to which the public have access during such period as aforesaid, shall keep such lamp or lamps properly trimmed, lighted, and attached.

2. If any person offends against any of the provisions of this Act, he shall be liable on summary conviction. . . . [Penalty, forty shillings, second or subsequent conviction five pounds.]

Provided that if a person driving or being in charge of a vehicle is charged with an offence under this Act, he shall not be convicted thereof if he proves to the satisfaction of the court that such offence arose through the neglect or default of some other person whose duty it was to provide the vehicle with a lamp or lamps.

3. [Power of council of a borough and in Metropolis of the London County Council to make orders of exemption, subject to the approval of a Secretary of State in the case of vehicles carrying inflammable material.]

4. [Power of county council to make orders of exemption for the purpose of harvesting.]

5. (1) This Act shall apply to every sort of vehicle except the following :—

- (a) Any bicycle, tricycle, or velocipede to which the provisions of section 85 of the Local Government Act, 1888 [51 & 52 Vict. c. 41], requiring lamps to be carried apply ;
- (b) Any light locomotive or motor car which is required to carry lamps under section 2 of the Locomotives on Highways Act, 1896 [59 & 60 Vict. c. 36], or any regulations made thereunder ;
- (c) Any other locomotive which is required to carry lights under section 3 of the Locomotives Act, 1865 [28 & 29 Vict. c. 83], as amended by section 5 of the Locomotives Act, 1898 [61 & 62 Vict. c. 29], or waggon drawn by that locomotive ;
- (d) Any vehicle drawn or propelled by hand.

(2) This Act shall apply to any machine or implement of any kind drawn by animal traction as it applies to vehicles.

(3) Any bye-laws under the Local Government Act, 1888, the Municipal Corporations Act, 1882 [45 & 46 Vict. c. 50], or any other Act, and any provisions of any local and personal Act, or bye-laws or regulations made thereunder by a local authority, with respect to the carrying of lights on vehicles, shall so far as respects vehicles to

Application of Act and repeal of existing bye-laws.

which this Act applies cease to have effect, but this provision shall not affect any power under any such Act to make, with respect to the carrying of lights on vehicles, any fresh bye-law or regulation imposing obligations additional to those imposed by this Act (see "Bye-laws," p. 79).

(4) This Act shall apply to vehicles in the public service of the Crown, subject to any exceptions which His Majesty may make by Order in Council in the interests of the naval or military service of the Crown, and in the case of any such vehicle the person whom the department in whose service the vehicle is used names as the person actually responsible shall be deemed for the purposes of this Act to be the person who causes or permits the vehicle to be in any street, highway, or road.

By Order in Council No. 1042 of 1907, made under section 5 (4) above, the vehicles in the first part of the following Schedule are excepted from the provisions of the above Act, and the vehicles in the Second Part of the Schedule are excepted when used for field training or manoeuvres, or when excepted in the exercise of the discretion of the Commander-in-Chief or the Secretary of State for War.

Exemptions.

SCHEDULE.

FIRST PART.

Gun Carriages or Limbers, Ammunition Waggon or Limbers, General Service Waggon carrying Ammunition, Machine Guns, Small-Arm Ammunition Carts, Tool Waggon, Tool Carts, Technical Stores Waggon, Technical Stores Carts, Cable Waggon, Limbered General Service Waggon, Air-line Waggon, Balloon Waggon, Gas Reservoir Waggon, Waggon for Collapsible Boats, Trestle Waggon, Pontoon Waggon, Travelling Ovens, and Water Carts.

SECOND PART.

General Service Waggon, Bread and Meat Waggon, Forage Cart, Ambulance, Maltese Cart, Bicycles and Road Locomotives not falling within the Motor Car Acts, 1896 and 1903.

General Note on Lights on Vehicles.

(1) Lights on vehicles are now regulated by the various Acts, Orders and Bye-laws that were in force before the War.

General note on lights.

(2) The guiding Act is the Lights on Vehicles Act, 1907, Edw. 7, c. 45, which requires vehicles to have effective lamps so attached as to display to the front at least one white light visible for a reasonable distance. If any light is shown to the rear, then that light must be red.

(3) Motor cars are regulated under the provisions of the Motor Cars (Use and Construction) Order, 1904, but the illumination of the identification mark is now dealt with under the Roads Vehicles (Registration and Licensing) Regulations, 1921, and *this* mark must be illuminated from *half an hour* after sunset to *half an hour* before sunrise.

(4) Ordinary cycles come under the Local Government Act, 1888 (51 & 52 Vict. c. 41).

(5) In addition, various Councils have made bye-laws on the subject. These bye-laws are not all similar in their requirements, and owners and drivers are advised to carry two white lights to the front and a red rear light.

THE PROTECTION OF ANIMALS ACT, 1911.

(1 & 2 Geo. 5, c. 27.)

1. (1) If any person—

(a) shall cruelly beat, kick, ill-treat, over-ride, over-drive, over-load, torture, infuriate, or terrify any animal, or shall cause or procure, or, being the owner, permit any animal to be so used, or shall, by wantonly or unreasonably doing or omitting to do any act,

Offences of cruelty.

- or causing or procuring the commission or omission of any act, cause any unnecessary suffering, or, being the owner, permit any unnecessary suffering to be so caused to any animal; or
- (b) shall convey or carry, or cause or procure, or, being the owner, permit to be conveyed or carried, any animal in such manner or position as to cause that animal any unnecessary suffering;

such person shall be guilty of an offence of cruelty within the meaning of this Act, and shall be liable upon summary conviction to a fine not exceeding twenty-five pounds, or alternatively, or in addition thereto, to be imprisoned with or without hard labour, for any term not exceeding *three months*.

(2) For the purposes of this section, an owner shall be deemed to have permitted cruelty within the meaning of this Act if he shall have failed to exercise reasonable care and supervision in respect of the protection of the animal therefrom:

Provided that, where an owner is convicted of permitting cruelty within the meaning of this Act by reason only of his having failed to exercise such care and supervision, he shall not be liable to imprisonment without the option of a fine.

In accordance with custom, a milch cow was driven to market overstocked with milk, not having been milked for nineteen hours, and her calf kept muzzled. The object of the custom was to prove to a buyer that the cow was a heavy milker. This was held to be an offence against subsection (1) above. *Waters v. Braithwaite*, 30 T.L.R. 107.

A servant bought a horse for his master who observed that it was in a poor condition. A few weeks later, when being driven by the servant it fell down and was found to be in a very poor condition and suffering from mange. This was *prima facie* evidence that the master had permitted the horse to be cruelly ill-treated. *Whiting v. Ivens*, 84 L.J. K.B. 1878.

The following cases under the Act of 1840 appear to apply to this Act:—

An information charged the defendant that he did “cruelly ill-treat, abuse, and torture a horse.” The justices required the prosecutor to elect on which of the three charges included in the summons he would proceed. The prosecutor declined to elect, and the justices dismissed the summons as being bad for duplicity. *Held*, that the magistrates were right. *Johnson v. Needham*, [1909] 1 K.B. 626.

Where a person has been guilty of cruelty to several animals at the same time, separate summonses may be taken out with respect to the several animals, but this is not necessary and one summons may charge the offence in respect to the whole of the animals. *R. v. Cable*, [1906] 1 K.B. 719. A defendant was summoned for unlawfully causing four ponies to be ill-treated by giving them improper food. He was not informed at the hearing that he was charged with four offences. Four convictions were drawn up, and four penalties of five pounds each were inflicted. *Held*, that three of the convictions must be quashed. *R. v. Trafford-Rawson*, [1909] 2 K.B. 748.

A public performance consisted of a pony drawing a roundabout on which were boats in which lions were seated. One of these jumped from his boat on to the hindquarters of the pony and sniffed at him. The attendant drove the lion back. Immediately afterwards, when the attendant was not looking, the lion attacked the pony, which subsequently died from the injuries inflicted. The magistrates convicted the attendant under this section. *Held*, that there was evidence of knowledge upon which the magistrates could convict, and that the conviction must be affirmed. *Thielbar v. Craigen*, 93 L.T. 600.

A veterinary surgeon advised that a horse was fit to be worked. At that time he knew it was not. It was, however, worked by the owner on that advice, and an act of cruelty was the result. *Held*, that the veterinary surgeon being charged with “causing” the act of cruelty could be convicted as an accessory under section 5 of S.J. Act, 1848, although not so charged. *Benford v. Sims*, [1898] 2 Q.B. 641.

A cabdriver allowing a horse to suffer severely from hunger, cold, and exposure was held by the High Court of Scotland to have committed an offence within the statute. *Anderson v. Wood*, 47 J.P. 84. The mere fact that a man was certified manager, and that it was his duty to see that the horses in a mine were in a fit condition is not enough to make him criminally liable for cruelty to the horses without some proof that he knew of such cruelty. *Small v. Warr*, 47 J.P. 20.

9. If any person shall use, or cause or procure, or being the owner permit, to be used, any dog for the purpose of drawing or helping to draw, any cart, carriage, truck, or barrow, on any public highway, he shall be liable upon summary conviction in respect of the first offence to a fine not exceeding two pounds, and in respect of the second or any subsequent offence to a fine not exceeding five pounds.

Use of dogs for purposes of draught.

See similar provision of the Metropolitan Police Act, 1839, as follows :— 2 & 3 Vict.

56. Every person who within the Metropolitan Police District shall use any dog for the purpose of drawing or helping to draw any cart, carriage, truck, or barrow.

c. 47.
Using for draught.

[Penalty, not exceeding forty shillings, second offence not exceeding five pounds.]

THE MINISTRY OF TRANSPORT ACT, 1919.

(9 & 10 Geo. 5, c. 50.)

This Act establishes the Ministry of Transport. The Minister is given power to establish, work and control transport services. There are various financial provisions and powers to make advances, and rates and roads advisory committees are established.

It has been thought advisable to print the second section in view of the chapter on tramways contained in this book. The only other section now of force and which concerns traffic is section 11, which will be found below.

2. (1) It shall be the duty of the Minister in the exercise and performance of any powers and duties transferred to, or conferred or imposed upon, him by or in pursuance of this Act, to take steps to carry out the purposes aforesaid, and there shall, as from such date or dates as His Majesty in Council may by Order determine, be transferred to the Minister all powers and duties of any Government Department in relation to—

Powers and duties.

- (a) railways ;
- (b) light railways ;
- (c) tramways ;
- (d) canals, waterways, and inland navigations ;
- (e) roads, bridges and ferries, and vehicles and traffic thereon ;
- (f) harbours, docks, and piers ;

including any powers and duties of any Government Department in relation to any railway, light railway, tramway, canal, inland navigation, harbour, dock, pier, or other undertaking concerned with any of the matters aforesaid, and any powers of any Government Department with respect to the appointment of members or the procedure of any commissioners, conservancy board, or other body having jurisdiction with respect to any such matters as aforesaid, and any powers of any Government Department with respect to the making, confirming, issuing, granting, or giving (as the case may be) of bye-laws, regulations, orders, licences, approvals, or consents relating to any of the matters hereinbefore mentioned :

Provided that—

- (i) His Majesty in Council may by Order except from such transfer any particular powers or duties, or provide for the exercise or performance of any power or duty so excepted by the Minister concurrently or in consultation with or at the instance of the Government Department concerned, or by the Government Department concerned concurrently or in consultation with the Minister, or provide for the retransfer to any such Department of any powers and duties transferred to the Minister by this section ; and
- (ii) Nothing in this section shall transfer to the Minister any powers or duties of the Admiralty exercisable in or in relation to ports declared under the Dockyard Port Regulation Act, 1865, to be dockyard ports, but His Majesty in Council may by Order transfer to the Admiralty, instead of to the Minister, any of the powers of the Board of Trade with respect to dockyard ports, or with respect to the appointment of members of any commissioners, conservancy board, or other body having jurisdiction in the whole or any part of a dockyard port ; and
- (iii) Nothing in this section shall transfer to the Minister the powers of the Board of Trade with respect to the appointment of members or the procedure of the Railway and Canal Commission, but His Majesty in Council may by Order transfer those powers to a Secretary of State instead of to the Minister.

(2) His Majesty in Council may by Order make such incidental, consequential, and supplemental provisions as may be necessary or expedient for the purpose of giving full effect to any transfer of powers or duties by or under this section, including provisions for the transfer of any property, rights, and liabilities held, enjoyed, or incurred by any Government Department in connection with any powers or duties transferred, and may make such adaptations in the enactments relating to such powers or duties as may be necessary to make exercisable by the Minister and his officers or by the Admiralty and their officers, as the case may be, the powers and duties so transferred : Provided always that nothing herein contained shall enable the powers so transferred to be increased.

(3) In connection with the transfer of powers and duties to the Minister, Admiralty, or Secretary of State, by or under this Act, the provisions set out in the First Schedule to this Act shall have effect.

(4) There shall be attached to the Ministry a separate department charged with dealing in the ordinary course of departmental business with road construction, improvement, maintenance, and development.

Appeal as
to bridges.

11. An appeal shall lie to the Minister in respect of any restriction upon any traffic passing over or seeking to cross any bridge or culvert, and the Minister shall have power, notwithstanding any provision in any other statute, to make such order as he may think fit concerning the strengthening, standard of maintenance, and maintenance of any bridge or culvert, the traffic using it or seeking to use it, and apportionment of any expenditure involved, but no order made by the Minister under this section shall enlarge the pecuniary liability of any railway or canal company or impose any new liability upon any such company.

CHAPTER III.

ACTS IN FORCE OUTSIDE THE METROPOLIS.

THE TOWN POLICE CLAUSES ACT, 1847, 10 & 11 Vict. c. 89.

THE PUBLIC HEALTH ACT, 1875, 38 & 39 Vict. c. 55.

THE TOWN POLICE CLAUSES ACT, 1889, 52 & 53 Vict. c. 14.

THE INFECTIOUS DISEASE (PREVENTION) ACT, 1890, 53 & 54 Vict. c. 34.

THE PUBLIC HEALTH ACTS AMENDMENT ACT, 1907, 7 Edw. 7, c. 53.

THE TOWN POLICE CLAUSES ACT, 1847.

(10 & 11 Vict. c. 89.)

1. This Act shall extend only to such towns or districts in England or Ireland as shall be comprised in any Act of Parliament hereafter to be passed which shall declare that this Act shall be incorporated therewith; and all the clauses of this Act, save so far as they shall be expressly varied or excepted by any such Act, shall apply to the town or district which shall be comprised in such Act, and to the commissioners appointed for improving and regulating the same, so far as such clauses shall be applicable thereto respectively, and shall, with the clauses of every other Act which shall be incorporated therewith, form part of such Act, and be construed therewith as forming one Act.

Extent of
Act.

The Public Health Act, 1875, by section 171, provides as follows:—

“The provisions of the Town Police Clauses Act, 1847 . . . as to obstructions and nuisances in streets, fires, places of public resort, hackney carriages, and public bathing shall, for the purpose of regulating such matters in urban districts, be incorporated with this Act. . . .”

The Public Health Act, 1875, does not apply to the Metropolis, that is to say, to the Administrative County of London. Therefore, only that area of the Metropolitan Police District which is outside the Metropolis (County of London) is subject to the Town Police Clauses Act.

It is to be noted that the Public Carriage Acts for London (p. 237, *post*) are in force throughout the Metropolitan Police District. Hence, public carriages which are in the Metropolitan Police District and are not in the Metropolis are presumably subject both to the London Public Carriage Acts and to the Town Police Clauses Act. Where the two codes are in conflict the London Public Carriage Acts would doubtless prevail, upon the principle that the particular will prevail against the general.

Interpretation.

And with respect to the construction of this Act, whether incorporated in whole or in part with any other Act, and of any Act incorporated therewith, be it enacted as follows:

Interpreta-
tions in this
Act:

2. The expression “the special Act” used in this Act shall be construed to mean any Act which shall be hereafter passed for the improvement or regulation of any town or district defined or comprised therein and with which this Act shall be incorporated; and the word “prescribed,” used in this Act in reference to any matter herein stated, shall be construed to refer to such matter as the same shall be prescribed or provided for in the special Act, and the sentence in which such word shall occur shall be construed as if, instead of the word “prescribed” the expression “prescribed for that purpose in the special Act” had

“The special
Act.”

“Pre-
scribed”;

"The Commissioners." been used; and the expression "the commissioners" shall mean the commissioners, trustees, or other persons or body corporate intrusted by the special Act with powers for executing the purposes thereof.

NOTE.—The Commissioners are not to be confused with the Commissioners of Metropolitan Police.

Interpretations in this and the special Act;	3. The following words and expressions, in both this and the special Act, and any Act incorporated therewith, shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction; (that is to say)—
Number;	Words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number:
Gender;	Words importing the masculine gender shall include females:
"Person";	The word "person" shall include a corporation, whether aggregate or sole:
"Lands";	The word "lands" shall include messuages, lands, tenements, and hereditaments of any tenure:
"Street";	The word "street" shall extend to and include any road, square, court, alley, and thoroughfare or public passage within the limits of the special Act:
"Month";	The word "month" shall mean calendar month:
"Superior Courts";	The expression "superior courts" shall mean Her Majesty's Superior Courts of Record at Westminster or Dublin, as the case may require, . . . :
"Oath";	The word "oath" shall include affirmation in the case of Quakers, and any declaration lawfully substituted for an oath in the case of any other persons allowed by law to make a declaration instead of taking an oath:
"County";	The word "county" shall include riding or other division of a county having a separate commission of the peace, and shall also include county of a city or county of a town:
"Justice";	The word "justice" shall mean justice of the peace acting for the county, city, borough, liberty, cinque port, or other place where the matter requiring the cognizance of any such justice arises; and where any matter shall be authorized or required to be done by two justices, the expression "two justices" shall be understood to mean two or more justices met and acting together:
"Two Justices";	
"Quarter Sessions";	The expression "quarter sessions" shall mean quarter sessions as defined in the special Act, and if such expression be not there defined, shall mean the general or quarter sessions of the peace which shall be held in or at the place nearest to the district comprised within the special Act for the county in which such district or some part thereof is situated, or for some division of such county having a separate commission of the peace:
"Cattle."	The word "cattle" shall include horses, asses, mules, sheep, goats, and swine.

Citing the Act.

And with respect to citing this Act, or any part thereof, be it enacted as follows:—

Short title. 4. In citing this Act in other Acts of Parliament, and in legal instruments, it shall be enough to use the expression "the Town Police Clauses Act, 1847."

5. For the purpose of incorporating part only of this Act with any Act hereafter to be passed, it shall be enough to describe the clauses of this Act with respect to any matter in the words introductory to the enactment with respect to such matter, and to enact that the clauses so described, or that this Act, with the exception of the clauses so described, shall be incorporated with such Act; and thereupon all the clauses of this Act so incorporated shall, save so far as they are expressly varied or excepted by such Act, form part of such Act, and such Act shall be construed as if such clauses were set forth therein with reference to the matter to which such Act relates.

Form in which portions of this Act may be incorporated with other Acts.

Obstructions and Nuisances.

And with respect to obstructions and nuisances in the streets, be it enacted as follows :—

21. The commissioners* may from time to time make orders for the route to be observed by all carts, carriages, horses, and persons, and for preventing obstruction of the streets within the limits of the special Act, in all times of public processions, rejoicings, or illuminations, and in any case when the streets are thronged or liable to be obstructed, and may also give directions to the constables for keeping order and preventing any obstruction of the streets in the neighbourhood of theatres and other places of public resort, and every wilful breach of any such order shall be deemed a separate offence against this Act, and every person committing any such offence shall be liable to a penalty not exceeding forty shillings.

Power to prevent obstructions in the streets during public processions, &c.

The power of making orders "in any case when the streets are thronged," is not confined to exceptional occasions such as public processions. Orders of a permanent nature may be made under this power to deal with streets which are liable to be thronged at certain hours every day. *Teale v. Williams*, [1914] 3 K.B. 395.

The words "and may also give directions to the constables, &c.," refer to directions to carry out orders made under the first part of the section. An order was made under which constables were directed to stop and regulate traffic in certain places at certain hours, but the drivers of vehicles were not included. The driver of a motor car refused to obey the constable's directions. This was a breach of the order and an offence under this section. *Dudderidge v. Rawlings*, 108 L.T. 802.

See p. 20 and notes to 2 & 3 Vict. c. 47, s. 52.

22. On application to the commissioners* by the minister or churchwardens or chapelwardens of any church, chapel, or other place of public worship within the limits of the special Act, the commissioners may make orders for regulating the route by which persons shall drive any cart or carriage, or cattle, or the manner in which they shall drive them, in the neighbourhood of such places of worship, during the hours of Divine Service on Sunday, Christmas Day, Good Friday, or any day appointed for a public fast or thanksgiving, and any orders so made shall be printed and put up on or near the church, chapel, or place of public worship to which the same refer, and in some conspicuous places near and leading thereto, and elsewhere as the commissioners* direct, and every wilful breach of any such order shall be deemed a separate offence against this Act, and every person committing any such offence shall be liable to a penalty not exceeding forty shillings.

Power to regulate the route of person driving stage carriages, &c., during divine service.

23. No proprietor of any stage carriage duly licensed to carry passengers for hire shall be liable to any penalty for any deviation from the route or line of route specified in his licence which the driver

Stage carriages deviating from route.

* "Commissioners," see definition in section 2 of this Act.

of such stage carriage makes in consequence of any regulation or direction made or given by the commissioners.*

Power to
impound
stray cattle.

24. If any cattle be at any time found at large in any street within the limits of the special Act, without any person having the charge thereof, any constable or officer of police or any person residing within the limits of the special Act, may seize and impound such cattle in any common pound within the said limits, or in such other place as the commissioners* appoint for that purpose, and may detain the same therein until the owner thereof pay to the commissioners* a penalty not exceeding forty shillings, besides the reasonable expenses of impounding and keeping such cattle.

Power to sell
stray cattle
for penalty
and
expenses.

25. If the said penalty and expenses be not paid within three days after such impounding, the pound-keeper, or other person appointed by the commissioners* for that purpose, may proceed to sell or cause to be sold any such cattle; but previous to such sale seven days' notice thereof shall be given to or left at the dwelling-house or place of abode of the owner of such cattle, if he be known, or if not, then notice of such intended sale shall be given by advertisement, to be inserted seven days before such sale in some newspaper published or circulated within the limits of the special Act; and the money arising from such sale, after deducting the said sums, and the expenses aforesaid, and all other expenses attending the impounding, advertising, keeping, and sale of any such cattle so impounded, shall be paid to the commissioners,* and shall be by them paid, on demand, to the owner of the cattle so sold.

Persons
guilty of
pound-
breach
to be com-
mitted for
three
months.

26. Every person who releases or attempts to release any cattle from any pound or place where the same are impounded under the authority of this or the special Act, or who pulls down, damages, or destroys the same pound or place, or any part thereof, with intent to procure the unlawful release of such cattle, shall, upon conviction of such offence before any two justices, be committed by them to some common gaol or house of correction for any time not exceeding three months.

Power to
provide a
pound.

27. The commissioners* may purchase a piece of land within the limits of the special Act for the purpose of a pound for stray animals, and may erect a pound thereon, and such pound when made shall be kept in repair by the commissioners.*

Penalty
on persons
committing
any of the
offences
herein
named.

28. Every person who in any street, to the obstruction, annoyance, or danger of the residents or passengers, commits any of the following offences, shall be liable to a penalty not exceeding forty shillings for each offence, or, in the discretion of the justice before whom he is convicted, may be committed to prison, there to remain for a period not exceeding fourteen days, and any constable or other officer appointed by virtue of this or the special Act shall take into custody, without warrant, and forthwith convey before a justice, any person who within his view commits any such offence; (that is to say)—

It is sufficient to show that one resident or passenger was annoyed, &c.
Innes v. Newman, [1894] 2 Q.B. 292.

See further 2 & 3 Vict. c. 54, *ante*, p. 21.

* "Commissioners," see definition in section 2 of this Act.

- Every person who exposes for show, hire, or sale (except in a market or market place or fair lawfully appointed for that purpose) any horse or other animal, or exhibits in a caravan or otherwise any show or public entertainment, or shoes, bleeds, or farries any horse or animal (except in cases of accident), or cleans, dresses, exercises, trains, or breaks, or turns loose any horse or animal, or makes or repairs any part of any cart or carriage (except in cases of accident where repair on the spot is necessary) :
- Selling animals.
- Every person who suffers to be at large any unmuzzled ferocious dog, or sets on or urges any dog or other animal to attack, worry, or put in fear any person or animal :
- Dogs.
- Every owner of any dog who suffers such dog to go at large, knowing or having reasonable ground for believing it to be in a rabid state, or to have been bitten by any dog or other animal in a rabid state :
- Every person, who after public notice given by any justice directing dogs to be confined on account of suspicion of canine madness, suffers any dog to be at large during the time specified in such notice :
- Every person who slaughters or dresses any cattle, or any part thereof, except in the case of any cattle over-driven which may have met with any accident, and which for the public safety or other reasonable cause ought to be killed on the spot :
- Slaughtering cattle.
- Every person having the care of any waggon, cart, or carriage who rides on the shafts thereof, or who without having reins, and holding the same, rides upon such waggon, cart, or carriage, or on any animal drawing the same, or who is at such a distance from such waggon, cart, or carriage as not to have due control over every animal drawing the same, or who does not, in meeting any other carriage, keep his waggon, cart, or carriage to the left or near side, or who in passing any other carriage does not keep his waggon, cart, or carriage on the right or off side of the road (except in cases of actual necessity, or some sufficient reason for deviation), or who, by obstructing the street, wilfully prevents any person or carriage from passing him, or any waggon, cart, or carriage under his care :
- Riding on shafts.
Rule of road.
- Every person who at one time drives more than two carts or waggons, and every person driving two carts or waggons who has not the halter of the horse in the last cart or waggon securely fastened to the back of the first cart or waggon, or has such halter of a greater length from such fastening to the horse's head than 4 feet :
- Driving.
- Every person who rides or drives furiously any horse or carriage, or drives furiously any cattle :
- Every person who causes any public carriage, sledge, truck, or barrow, with or without horses, or any beast of burden, to stand longer than is necessary for loading or unloading goods, or for taking up or setting down passengers (except hackney carriages, and horses and other beasts of draught or burden, standing for hire
- Obstruction.

in any place appointed for that purpose by the commissioners* or other lawful authority), and every person who, by means of any cart, carriage, sledge, truck, or barrow, or any animal, or other means, wilfully interrupts any public crossing, or wilfully causes any obstruction in any public footpath or other public thoroughfare :

See further 2 & 3 Vict. c. 47, s. 54 (6), at p. 23.

A person had an auction caravan standing in a market place 3 feet from the highway across the market place. He paid rent for the standing. He conducted sales, assisted by a boy playing an accordion. A crowd gathered in the highway to watch the sales. *Held*, that no offence was committed against this subsection. *Ball v. Ward*, 33 L.T. 170.

Three persons walking abreast up and down a footway thereby forcing other passengers into the roadway do not commit an offence against this subsection, such acts not coming within the words "or other means." *R. v. Long*, 59 L.T. 33, 52 J.P. 630 ; *R. v. Williams*, 55 J.P. 406.

The fact of obstruction must be proved by evidence in order to come within this section. To leave carts unattended in a street is not necessarily *per se* an obstruction. *Gill v. Carson & Nield*, [1917] 2 K.B. 674.

Every person who causes any tree or timber or iron beam to be drawn in or upon any carriage, without having sufficient means of safely guiding the same :

Footway. Every person who leads or rides any horse or other animal, or draws or drives any cart or carriage, sledge, truck, or barrow upon any footway of any street, or fastens any horse or other animal so that it stands across or upon any footway :

Obstruction. Every person who places or leaves any furniture, goods, wares, or merchandise, or any cask, tub, basket, pail, or bucket, or places or uses any standing-place, stool, bench, stall, or show-board on any footway, or who places any blind, shade, covering, awning, or other projection over or along any such footway, unless such blind, shade, covering, awning, or other projection is 8 feet in height at least in every part thereof from the ground :

Every person who places, hangs up, or otherwise exposes to sale any goods, wares, merchandise, matter, or thing whatsoever, so that the same project into or over any footway, or beyond the line of any house, shop, or building at which the same are so exposed, so as to obstruct or incommode the passage of any person over or along such footway :

Every person who rolls or carries any cask, tub, hoop, or wheel, or any ladder, plank, pole, timber, or log of wood, upon any footway, except for the purpose of loading or unloading any cart or carriage, or of crossing the footway :

Nuisances. Every person who places any line, cord, or pole across any street, or hangs or places any clothes thereon :

Every common prostitute or nightwalker loitering and importuning passengers for the purpose of prostitution :

Indecent behaviour. Every person who wilfully and indecently exposes his person :

Every person who publicly offers for sale or distribution, or exhibits to public view, any profane, indecent, or obscene book, paper, print, drawing, painting, or representation, or sings any profane or obscene song or ballad, or uses any profane or obscene language :

* "Commissioners," see definition in section 2 of this Act.

- Every person who wantonly discharges any firearm, or throws or discharges any stone or other missile, or makes any bonfire, or throws or sets fire to any firework : Firing of gun, fire-work, &c.
- Every person who wilfully and wantonly disturbs any inhabitant, by pulling or ringing any door bell, or knocking at any door, or who wilfully and unlawfully extinguishes the light of any lamp : Ringing bell, &c.
- It is no defence to a charge under this subsection to prove that the defendant was ringing the bell on a lawful occasion if it was done in a violent manner. *Clarke v. Hoggins*, 11 C.B.N.S. 545.
- Every person who flies any kite, or who makes or uses any slide upon ice or snow : Sliding, &c.
- Every person who cleanses, hoops, fires, washes, or scalds any cask or tub, or hews, saws, bores, or cuts any timber or stone, or slacks, sifts, or screens any lime :
- Every person who throws or lays down any stones, coals, slate, shells, lime, bricks, timber, iron, or other materials (except building materials so inclosed as to prevent mischief to passengers) :
- Every person who beats or shakes any carpet, rug, or mat (except door mats, beaten or shaken before the hour of eight in the morning) : Carpet beating, &c.
- Every person who fixes or places any flower-pot or box, or other heavy article, in any upper window, without sufficiently guarding the same against being blown down : Window loading, &c.
- Every person who throws from the roof or any part of any house or other building any slate, brick, wood, rubbish, or other thing, except snow thrown so as not to fall on any passenger :
- Every occupier of any house or other building or other person who orders or permits any person in his service to stand on the sill of any window, in order to clean, paint, or perform any other operation upon the outside of such window, or upon any house or other building within the said limits, unless such window be in the sunk or basement story : Window cleaning.
- Every person who leaves open any vault or cellar, or the entrance from any street to any cellar or room underground, without a sufficient fence or handrail, or leaves defective the door, window, or other covering of any vault or cellar, or who does not sufficiently fence any area, pit, or sewer left open, or who leaves such open area, pit, or sewer without a sufficient light after sunset to warn and prevent persons from falling thereinto : Leaving cellar open.
- Every person who throws or lays any dirt, litter, or ashes, or nightsoil, or any carrion, fish, offal, or rubbish, on any street, or causes any offensive matter to run from any manufactory, brewery, slaughter-house, butcher's shop, or dunghill into any street : Provided always, that it shall not be deemed an offence to lay sand or other materials in any street in time of frost, to prevent accidents, or litter or other suitable materials to prevent the freezing of water in pipes, or in case of sickness to prevent noise, if the party laying any such things causes them to be removed as soon as the occasion for them ceases : Laying dirt, &c.

Keeping
swine.

Every person who keeps any pigstye to the front of any street, not being shut out from such street by a sufficient wall or fence or who keeps any swine in or near any street, so as to be a common nuisance.

Penalty on
drunken
persons, &c.,
guilty of
riotous or
indecent
behaviour.

29. Every person drunk in any street, and guilty of any riotous or indecent behaviour therein, and also every person guilty of any violent or indecent behaviour in any police office or any police station house within the limits of the special Act, shall be liable to a penalty not exceeding forty shillings for every such offence, or, in the discretion of the justice before whom he is convicted, to imprisonment for a period not exceeding seven days.

See the case of *Martin v. Prigdeon*, 1 E. & E. 778, 8 Cox 170.

Hackney Carriages.

[*N.B.*—Compare section 4 of the Town Police Clauses Act, 1889, by which omnibuses as therein defined are included in many of the following sections.]

Hackney
carriages to
be licensed.

37. The commissioners* may from time to time license to ply for hire within the prescribed distance, or if no distance is prescribed, within 5 miles from the General Post Office of the city, town, or place to which the special Act refers (which in that case shall be deemed the prescribed distance), such number of hackney coaches or carriages of any kind or description adapted to the carriage of persons as they think fit.

In granting or refusing licences the authority must exercise a reasonable discretion and act *bonâ fide*. *R. v. Barry District Council ex parte Jones*, [1900] 16 T.L.R. 565; *R. v. Blackpool Corporation*, [1899], "Times," 7th December, *ex parte Mitcham*, [1864] 5 B. & S. 585.

In *R. v. Brighton Corporation ex parte Tilling (Thomas), Ltd.*, [1916] 85 L.J. K.B. 1552, licences for chars-à-bancs were refused by the defendants, who were annoyed with the applicants regarding extraneous matters. It was held that the defendants acted from extra-judicial considerations and the licences were granted.

Again in *R. v. Farnborough U.D.C. ex parte the Aldershot District Traction Co.*, [1920] 1 K.B. 234, 89 L.J. K.B. 284, it was decided that since section 68 of this Act is not incorporated with the Act of 1889 a local authority is not entitled to refuse to grant a licence for an omnibus on the ground that the fares charged are excessive.

The local authority may require drivers and conductors to apply in person for licences. *Banton v. Davies*, [1892] 56 J.P. 294.

What to be
hackney
carriages.

38. Every wheeled carriage, whatever may be its form or construction, used in standing or plying for hire in any street within the prescribed distance, and every carriage standing upon any street within the prescribed distance, having thereon any numbered plate required by this or the special Act to be fixed upon a hackney carriage, or having thereon any plate resembling or intended to resemble any such plate as aforesaid, shall be deemed to be a hackney carriage within the meaning of this Act; and in all proceedings at law or otherwise the term "hackney carriage" shall be sufficient to describe any such carriage: Provided always, that no stage coach used for the purpose of standing or plying for passengers to be carried for hire at separate fares, and duly licensed for that purpose, and having thereon the proper numbered plates required by law to be placed on such stage coaches, shall be deemed to be a hackney carriage within the meaning of this Act.

Stage coach.

* "Commissioners," see definition in section 2 of this Act.

Compare this definition with the definition on pp. 246 and 276.

A tramcar is a hackney carriage within this section. *Blackpool and Fleetwood Tramroad Co. v. Bailey*, [1920] 1 K.B. 380; 17 L.G.R. 749.

Carriages on light railways appear not to be within this Act. *Yorks Electric Tramways v. Ellis*, [1905] 1 K.B. 396.

See also *Attorney General v. Yorkshire (Woollen District) Electric Tramways, Ltd.*, [1907] 71 J.P. 506, a case decided under the Revenue Act of 1888. Within the Metropolitan Police District the matter is governed by the London Cab and Stage Carriage Act of 1907, see section 5 thereof on p. 282.

The term "street" here does not include the premises of a railway company, although separated from the highway only by a gutter, the carriages there being under the control of the railway company. *Curtis v. Embery*, L.R. 7 Ex. 369; *Jones v. Short*, 69 L.J. Q.B. 473.

The words "used in standing or plying for hire" do not refer only to the time when the carriage is actually plying for hire, but define the carriage as one that is from time to time "used, &c." *Hawkins v. Edwards*, [1901] 2 K.B. 169. See *Sales v. Lake*, [1922] 1 K.B. 553; 38 T.L.R. 336.

As to what is included in "plying for hire," see *Birmingham & Midland Motor Bus Co. v. Thomson*, [1918] 2 K.B. 105.

39. [For every such licence there shall be paid to the clerk of the commissioners* or other person appointed by them to receive the same, such sum as the commissioners direct, not exceeding five shillings.] Fee to be paid for licence.

The fee now is included in the fee paid for the County Council licence, see Roads Act, 1920, *post*, p. 215.

40. Before any such licence is granted a requisition for the same, in such form as the commissioners* from time to time provide for that purpose, shall be made and signed by the proprietor or one of the proprietors of the hackney carriage in respect of which such licence is applied for, and in every such requisition shall be truly stated the name and surname and place of abode of the person applying for such licence, and of every proprietor or part proprietor of such carriage, or person concerned, either solely or in partnership with any other person, in the keeping, employing, or letting to hire of such carriage; and any person who, on applying for such licence, states in such requisition the name of any person who is not a proprietor or part proprietor of such carriage, or who is not concerned as aforesaid in the keeping, employing, or letting to hire of such carriage and also any person who wilfully omits to specify truly in such requisition as aforesaid the name of any person who is a proprietor or part proprietor of such carriage, or who is concerned as aforesaid in the keeping, employing, or letting to hire of such carriage, shall be liable to a penalty not exceeding ten pounds. Persons applying for licence to sign a requisition for same.

41. In every such licence shall be specified the name and surname and place of abode of every person who is a proprietor or part proprietor of the hackney carriage in respect of which such licence is granted, or who is concerned, either solely or in partnership with any other person, in the keeping, employing, or letting to hire of any such carriage, and also the number of such licence which shall correspond with the number to be painted or marked on the plates to be fixed on such carriage, together with such other particulars as the commissioners* think fit. What shall be specified in the licences.

42. Every licence shall be made out by the clerk of the commissioners,* and duly entered in a book to be provided by him for that purpose, and in such book shall be contained columns or places for entries to be made of every offence committed by any proprietor or Licences to be registered.

* "Commissioners," see definition in section 2 of this Act.

driver or person attending such carriage, and any person may at any reasonable time inspect such book without fee or reward.

Licence to be in force for one year only.

43. Every licence so to be granted shall be under the common seal of the commissioners,* if incorporated, or if not incorporated, shall be signed by two or more of the commissioners,* and shall not include more than one carriage so licensed, and shall be in force for one year only from the day of the date of such licence, or until the next general licensing meeting, in case any general licensing day be appointed by the commissioners.*

Notice to be given by proprietors of hackney carriages of any change of abode.

44. So often as any person named in any such licence as the proprietor or one of the proprietors, or as being concerned either solely or in partnership with any person in the keeping, employing, or letting to hire of any such carriage, changes his place of abode, he shall, within seven days next after such change, give notice thereof in writing, signed by him, to the commissioners,* specifying in such notice his new place of abode; and he shall at the same time produce such licence at the office of the commissioners,* who shall, by their clerk, or some other officer, indorse thereon and sign a memorandum specifying the particulars of such change; and any person named in any such licence as aforesaid as the proprietor, or one of the proprietors, of any hackney carriage, or as being concerned as aforesaid, who changes his place of abode, and neglects or wilfully omits to give notice of such change, or to produce such licence in order that such memorandum as aforesaid may be indorsed thereon within the time and in the manner limited and directed by this or the special Act, shall be liable to a penalty not exceeding forty shillings.

Penalty for plying for hire without a licence.

45. If the proprietor or part proprietor of any carriage, or any person so concerned as aforesaid, permits the same to be used as a hackney carriage plying for hire within the prescribed distance without having obtained a licence as aforesaid for such carriage, or during the time that such licence is suspended as hereinafter provided, or if any person be found driving, standing, or plying for hire with any carriage within the prescribed distance, for which such licence as aforesaid has not been previously obtained, or without having the number of such carriage corresponding with the number of the licence openly displayed on such carriage, every such person so offending shall for every such offence be liable to a penalty not exceeding forty shillings.

The effect of the Town Police Clauses Act, 1889, which brings omnibuses within the provisions of the Town Police Clauses Act, 1847, relating to hackney carriages, is that omnibuses are required to have a licence, when plying for hire at any place "within the prescribed distance," whether plying in a public street or not. *Birmingham & Midland Motor Bus Co. v. Thomson*, [1918] 2 K.B. 105.

See also *Sales v. Lake*, [1922] 1 K.B. 553, 38 T.L.R. 336, decided under 32 & 33 Vict. c. 115, and noted on p. 65.

It is an offence against this section to ply for hire with an omnibus so that no fares are charged but the passengers pay by "voluntary contributions." *Cocks v. Mayner*, 70 L.T. 403.

An omnibus took passengers in and from its licensed area to a point in an area outside. On the return journey it took passengers to points within the licensed area from its return starting point in the outside area, but made no charge for the journey to the boundary. *Held*, that this was an attempt to evade this section by virtue of 52 & 53 Vict. c. 14, s. 3, and that there was an illegal plying for hire in the outside area. *R. v. Fletcher, ex parte Ansonia*, 72 J.P. 249.

* "Commissioners," see definition in section 2 of this Act.

46. No person shall act as driver of any hackney carriage licensed in pursuance of this or the special Act to ply for hire within the prescribed distance without first obtaining a licence from the commissioners,* which licence shall be registered by the clerk to the commissioners,* and a fee of one shilling shall be paid for the same ; and every such licence shall be in force until the same is revoked, except during the time that the same may be suspended as after-mentioned.

Drivers not to act without first obtaining a licence.

47. If any person acts as such driver as aforesaid without having obtained such licence or during the time that his licence is suspended, or if he lend or part with his licence, except to the proprietor of the hackney carriage, or if the proprietor of any such hackney carriage employ any person as the driver thereof who has not obtained such licence, or during the time that his licence is suspended, as hereinafter provided, every such driver and every such proprietor shall, for every such offence, respectively be liable to a penalty not exceeding twenty shillings.

Penalty on drivers acting without licence.

48. In every case in which the proprietor of any such hackney carriage permits or employs any licensed person to act as the driver thereof, such proprietor shall cause to be delivered to him, and shall retain in his possession, the licence of such driver while such driver remains in his employ ; and in all cases of complaint, where the proprietor of a hackney carriage is summoned to attend before a justice, or to produce the driver, the proprietor so summoned shall also produce the licence of such driver, if he be then in his employ ; and if any driver complained of be adjudged guilty of the offence alleged against him, such justice shall make an indorsement upon the licence of such driver, stating the nature of the offence and the amount of the penalty inflicted ; and if any such proprietor neglect to have delivered to him and to retain in his possession the licence of any driver while such driver remains in his employ, or if he refuse or neglect to produce such licence as aforesaid, such proprietor shall for every such offence be liable to a penalty not exceeding forty shillings.

Proprietor to retain licence of drivers when in his employ, and to produce the same when summoned.

Justices may indorse convictions upon licences.

Penalty on proprietors for neglect.

49. When any driver leaves the service of the proprietor by whom he is employed without having been guilty of any misconduct, such proprietor shall forthwith return to such driver the licence belonging to him ; but if such driver have been guilty of any misconduct, the proprietor shall not return his licence, but shall give him notice of the complaint which he intends to prefer against him and shall forthwith summon such driver to appear before any justice to answer the said complaint ; and such justice, having the necessary parties before him, shall inquire into and determine the matter of complaint and if upon inquiry it appear that the licence of such driver has been improperly withheld, such justice shall direct the immediate re-delivery of such licence, and award such sum of money as he thinks proper to be paid by such proprietor to such driver by way of compensation.

Return of licence, &c.

Compensation.

50. The commissioners* may, upon the conviction for the second time of the proprietor or driver of any such hackney carriage for any offence under the provisions of this or the special Act with respect to hackney carriages, or any bye-law made in pursuance thereof, suspend or revoke, as they deem right, the licence of any such proprietor or driver.

Licences to be suspended or revoked for misconduct.

* " Commissioners," see definition in section 2 of this Act.

Number of persons to be carried in a hackney carriage to be painted thereon.

51. No hackney carriage shall be used or employed or let to hire, or shall stand or ply for hire within the prescribed distance, unless the number of persons to be carried by such hackney carriage, in words at length, and in form following, (that is to say), "To carry persons," be painted on a plate placed on some conspicuous place on the outside of such carriage, and in legible letters, so as to be clearly distinguishable from the colour of the ground whereon the same are painted, one inch in length, and of a proportionate breadth; and the driver of any such hackney carriage shall not be required to carry in or by such hackney carriage a greater number of persons than the number painted thereon.

See also the requirements for hackney carriage plates made by the Road Vehicles (Registration and Licensing) Regulations, 1921, *post*, p. 224.

Penalty for neglect or refusal to carry the prescribed number.

52. If the proprietor of any hackney carriage permit the same to be used, employed, or let to hire, or if any person stand or ply for hire with such carriage, without having the number of persons to be carried thereby painted and exhibited in manner aforesaid, or if the driver of any such hackney carriage refuse, when required by the hirer thereof, to carry in or by such hackney carriage the number of persons painted thereon, or any less number, every proprietor or driver so offending shall be liable to a penalty not exceeding forty shillings.

Penalty on driver for refusing to drive.

53. Any driver of a hackney carriage standing at any of the stands for hackney carriages appointed by the commissioners,* or in any street, who refuses or neglects, without reasonable excuse, to drive such carriage to any place within the prescribed distance, or the distance to be appointed by any bye-law of the commissioners,* not exceeding the prescribed distance, to which he is directed to drive by the person hiring or wishing to hire such carriage, shall for every such offence be liable to a penalty not exceeding forty shillings.

Penalty for demanding more than the sum agreed for.

54. If the proprietor or driver of any such hackney carriage, or if any other person on his behalf, agree beforehand with any person hiring such hackney carriage to take for any job a sum less than the fare allowed by this or the special Act, or by any bye-law made thereunder, such proprietor or driver shall be liable to a penalty not exceeding forty shillings if he exact or demand for such job more than the fare so agreed upon.

Agreement to pay more than the legal fare not to be binding, and sum paid beyond the proper fare may be recovered back.

55. No agreement whatever made with the driver, or with any person having or pretending to have the care of any such hackney carriage, for the payment of more than the fare allowed by any bye-law made under this or the special Act, shall be binding on the person making the same, and any such person may, notwithstanding such agreement, refuse, on discharging such hackney carriage, to pay any sum beyond the fare allowed as aforesaid, and if any person actually pay to the driver of any such hackney carriage, whether in pursuance of any such agreement or otherwise, any sum exceeding the fare to which such driver was entitled, the person paying the same shall be entitled, on complaint made against such driver before any justice of the peace, to recover back the sum paid beyond the proper fare, and moreover such driver shall be liable to a penalty for such exaction not exceeding the sum of forty shillings, and in default of the repayment by such

* "Commissioners," see definition in section 2 of this Act.

driver of such excess of fare, or of payment of the said penalty, such justice shall forthwith commit such driver to prison, there to remain for any time not exceeding one month, unless the said excess of fare and the said penalty be sooner paid.

56. If the proprietor or driver of any such hackney carriage, or if any other person on his behalf, agree with any person to carry in or by such hackney carriage persons not exceeding in number the number so painted on such carriage as aforesaid, for a distance to be in the discretion of such proprietor or driver, and for a sum agreed upon, such proprietor or driver shall be liable to a penalty not exceeding forty shillings if the distance which he carries such persons be under that to which they were entitled to be carried for the sum so agreed upon according to the fare allowed by this or the special Act, or any bye-law made in pursuance thereof.

Driver to carry, under an agreement for a discretionary distance, the distance to which hirer is entitled for the fare.

57. When any hackney carriage is hired and taken to any place, and the driver thereof is required by the hirer there to wait with such hackney carriage, such driver may demand and receive from such hirer his fare for driving to such place, and also a sum equal to the fare of such carriage for the period, as a deposit over and above such fare during which he is required to wait as aforesaid, or if no fare for time be fixed by the bye-laws, then the sum of one shilling and sixpence for every half-hour during which he is so required to wait, which deposit shall be accounted for by such driver when such hackney carriage is finally discharged by such hirer; and if any such driver who has received any such deposit as aforesaid refuses to wait as aforesaid, or goes away or permits such hackney carriage to be driven or taken away without the consent of such hirer, before the expiration of the time for which such deposit was made; or if such driver on the final discharge of such hackney carriage refuse duly to account for such deposit, every such driver so offending shall be liable to a penalty not exceeding forty shillings.

Deposit to be made for carriages waiting.

Penalty on the driver refusing to wait, or to account for the deposit.

58. Every proprietor or driver of any such hackney carriage who is convicted of taking as a fare a greater sum than is authorized by any bye-law made under this or the special Act shall be liable to a penalty not exceeding forty shillings, and such penalty may be recovered before one justice; and in the conviction of such proprietor or driver an order may be included for payment of the sum so overcharged, over and above the penalty and costs; and such overcharge shall be returned to the party aggrieved.

Overcharge by hackney coachmen, &c.

59. Any proprietor or driver of any such hackney carriage which is hired who permits or suffers any person to be carried in or upon or about such hackney carriage during such hire, without the express consent of the person hiring the same, shall be liable to a penalty not exceeding twenty shillings.

Riding without consent of the hirer.

60. No person authorized by the proprietor of any hackney carriage to act as driver of such carriage shall suffer any other person to act as driver of such carriage without the consent of the proprietor thereof, and no person, whether licensed or not, shall act as driver of any such carriage without the consent of the proprietor, and any person so suffering another person to act as driver, and any person so acting as driver without such consent as aforesaid, shall be liable to a penalty not exceeding forty shillings for every such offence.

No person to act as driver of any carriage without the consent of the proprietor.

Penalty on
drivers mis-
behaving.

61. If the driver or any other person having or pretending to have the care of any such hackney carriage be intoxicated while driving, or if any such driver or other person by wanton and furious driving, or by any other wilful misconduct, injure or endanger any person in his life, limbs, or property, he shall be liable to a penalty not exceeding five pounds, and in default of payment thereof the justice before whom he is convicted of such offence may commit him to prison, there to remain for any time not exceeding two months.

Penalty for
leaving
carriages
unattended
at places of
public resort.

62. If the driver of any such hackney carriage leave it in any street or at any place of public resort or entertainment, whether it be hired or not, without some one proper to take care of it, any constable may drive away such hackney carriage and deposit it, and the horse or horses harnessed thereto, at some neighbouring livery stable, or other place of safe custody; and such driver shall be liable to a penalty not exceeding twenty shillings for such offence, and in default of payment of the said penalty upon conviction, and of the expenses of taking and keeping the said hackney carriage and horse or horses, the same, together with the harness belonging thereto, or any of them, shall be sold by order of the justice before whom such conviction is made, and after deducting from the produce of such sale the amount of the said penalty, and of all costs and expenses, as well of the proceedings before such justice as of the taking, keeping, and sale of the said hackney carriage, and of the said horse or horses and harness, the surplus (if any) of the said produce shall be paid to the proprietor of such hackney carriage.

Damage
done by
driver may
be recovered
from the
proprietor.

63. In every case in which any hurt or damage has been caused to any person or property as aforesaid by the driver of any carriage let to hire, the justice before whom such driver has been convicted may direct that the proprietor of such carriage shall pay such a sum not exceeding five pounds as appears to the justice a reasonable compensation for such hurt or damage; and every proprietor who pays any such compensation as aforesaid may recover the same from the driver, and such compensation shall be recoverable from such proprietor, and by him from such driver, as damages.

Improperly
standing,
&c.

64. Any driver of any hackney carriage who suffers the same to stand for hire across any street or alongside of any other hackney carriage, or who refuses to give way, if he conveniently can, to any other carriage, or who obstructs or hinders the driver of any other carriage in taking up or setting down any person into or from such other carriage, or who wrongfully in a forcible manner prevents or endeavours to prevent the driver of any other hackney carriage from being hired, shall be liable to a penalty not exceeding twenty shillings.

Compensa-
tion to
drivers for
loss of time,
&c.

65. If the driver of any such hackney carriage be summoned or brought before any justice to answer any complaint or information touching or concerning any offence alleged to have been committed by such driver against the provisions of this or the special Act, or any bye-law made thereunder, and such complaint or information be afterwards withdrawn or quashed or dismissed, or if such driver be acquitted of the offence charged against him, the said justice, if he think fit, may order the complainant or informant to pay to the said driver such compensation for his loss of time in attending the said justice touching or concerning such complaint or information as to the said justice seems

reasonable, and in default of payment of such compensation, the said justice may commit such complainant or informant to prison for any time not exceeding one month, unless the same shall be sooner paid.

66. If any person refuse to pay on demand to any proprietor or driver of any hackney carriage the fare allowed by this or the special Act, or any bye-law made thereunder, such fare may, together with costs, be recovered before one justice as a penalty. Penalty for refusing to pay the fare.

This amount is now recoverable as a "civil debt" under section 6 of 42 & 43 Vict. c. 49. *R. v. Kerswill*, [1895] 1 Q.B. 1.

67. Any person using any hackney carriage plying under a licence granted by virtue of this or the special Act, who wilfully injures the same, shall for every such offence be liable to a penalty not exceeding five pounds, and shall also pay to the proprietor of such hackney carriage reasonable satisfaction for the damage sustained by the same; and such satisfaction shall be ascertained by the justices before whom the conviction takes place, and shall be recovered by the same means as the penalty. Penalty for damaging carriage.

68. The commissioners* may from time to time (subject to the restrictions of this and the special Act) make bye-laws for all or any of the purposes following: (that is to say,) Commissioners may make bye-laws for regulating hackney carriages.

For regulating the conduct of the proprietors and drivers of hackney carriages plying within the prescribed distance in their several employments, and determining whether such drivers shall wear any and what badges, and for regulating the hours within which they may exercise their calling:

For regulating the manner in which the number of each carriage, corresponding with the number of its licence, shall be displayed:

See also Road Vehicles (Registration and Licensing) Regulations, 1921, *post*, p. 235.

For regulating the number of persons to be carried by such hackney carriages, and in what manner such number is to be shown on such carriage, and what number of horses or other animals is to draw the same, and the placing of check strings to the carriages, and the holding of the same by the driver, and how such hackney carriages are to be furnished or provided:

For fixing the stands of such hackney carriages and the distance to which they may be compelled to take passengers, not exceeding the prescribed distance:

For fixing the rates or fares, as well for time as distance, to be paid for such hackney carriages within the prescribed distance, and for securing the due publication of such fares:

For securing the safe custody and re-delivery of any property accidentally left in hackney carriages, and fixing the charges to be made in respect thereof.

See note to section 37 of this Act.

Recovery of Damages and Penalties.

And with respect to the recovery of damages not specially provided for, and of penalties, and to the determination of any other matter referred to justices, be it enacted as follows:

* "Commissioners," see definition in section 2 of this Act.

Recovery of damages and penalties.

73. The clauses of the Railways Clauses Consolidation Act, 1845, [8 & 9 Vict. c. 20], with respect to the recovery of damages not specially provided for, and penalties, and to the determination of any other matter referred to justices, shall be incorporated with this and the special Act; and such clauses shall apply to the town or district within the limits of the special Act, and to the commissioners,* and shall be construed as if the word "commissioners" had been inserted therein instead of the word "company."

Number of justices.

75. All things herein or in the special Act, or any Act incorporated herewith, authorized or required to be done by two justices, may and shall be done by any one magistrate having by law authority to act alone for any purpose with the powers of two or more justices.

Access to special Act.

And with respect to affording access to the special Act, be it enacted as follows :—

Copies of special Act to be kept and deposited and allowed to be inspected.

77. The commissioners* shall at all times after the expiration of six months after the passing of the special Act keep in their principal office of business a copy of the special Act printed by the printers to Her Majesty, or some of them, and shall also within the space of such six months deposit in the office of the clerk of the peace of the county in which the town or district within the limits of the special Act is situated, a copy of such special Act so printed as aforesaid; and the said clerk of the peace shall receive, and he and the commissioners* respectively shall retain, the said copies of the special Act, and shall permit all persons interested to inspect the same, and make copies or extracts therefrom, in the like manner and upon the like terms, and under the like penalty for default, as is provided in the case of certain plans and sections by the Parliamentary Documents Deposit Act, 1837, [7 Will. 4 and 1 Vict. c. 83].

Penalty on failing to keep or deposit such copies.

78. If the commissioners* fail to keep or deposit, as hereinbefore mentioned, any of the said copies of the special Act, they shall forfeit twenty pounds for every such offence, and also five pounds for every day afterwards during which such copy is not so kept or deposited.

THE PUBLIC HEALTH ACT, 1875.

(38 & 39 Vict. c. 55.)

This Act does not apply to the Metropolis.

Conveyance of infected persons.

123. Any local authority may provide and maintain a carriage or carriages suitable for the conveyance of persons suffering under any infectious disorder, and may pay the expense of conveying therein any person so suffering to a hospital or other place of destination.

126. Any person who—

Exposing infected persons and things.

(1) While suffering from any dangerous infectious disorder wilfully exposes himself without proper precautions against spreading the said disorder in any street, public place, shop, inn, or public conveyance, or enters any public conveyance without previously notifying to the owner, conductor, or driver thereof that he is so suffering; or

* "Commissioners," see definition in section 2 of this Act.

- (2) Being in charge of any person so suffering, so exposes such sufferer, or causes or permits such sufferer to be so exposed ; or
- (3) Gives, lends, sells, transmits, or exposes without previous disinfection, any bedding, clothing, rags, or other things which have been exposed to infection from any such disorder ;

shall be liable to a penalty not exceeding five pounds ; and a person who, while suffering from any such disorder, enters any public conveyance without previously notifying to the owner or driver that he is so suffering, shall in addition be ordered by the court to pay such owner and driver the amount of any loss and expense they may incur in carrying into effect the provisions of this Act with respect to disinfection of the conveyance.

Provided that no proceedings under this section shall be taken against persons transmitting with proper precautions any bedding, clothing, rags, or other things for the purpose of having the same disinfected.

Subsection (2) is given as amended by 7 Edw. 7, c. 53, s. 62.

It is a common nuisance to carry a child known to be infected with small-pox along a highway near to which there are houses, *R. v. Vantandillo*, 4 M. & S. 73 ; or to bring a glandered horse into a public place, *R. v. Henson*, 1 Dear. 24.

127. Every owner or driver of a public conveyance shall immediately provide for the disinfection of such conveyance after it has to his knowledge conveyed any person suffering from a dangerous infectious disorder ; [Penalty not exceeding five pounds], but no such owner or driver shall be required to convey any person so suffering until he has been paid a sum sufficient to cover any loss or expense incurred by him in carrying into effect the provisions of this section.

Failing to provide for disinfection of public conveyance.

See as to London, 54 & 55 Vict. c. 76, ss. 70, 74, *ante*, p. 38.

THE TOWN POLICE CLAUSES ACT, 1889.

(52 & 53 Vict. c. 14.)

2.—(1) This Act shall be construed as one with the principal Act, and the expression " this Act " in the principal Act shall be construed to mean the principal Act as amended by this Act.

Construction of Act.

(2) This Act shall be deemed to be incorporated with the Public Health Act, 1875, by section one hundred and seventy-one of that Act.

38 & 39 Vict. c. 55.

3. The term " omnibus," where used in this Act, shall include—

Defining " omnibus."

Every omnibus, char-a-banc, waggonette, brake, stage coach, and other carriage plying or standing for hire by or used to carry passengers at separate fares to, from, or in any part of the prescribed distance ;

but shall not include—

Any tramcar or tram carriage duly licensed under the provisions of the Tramways Act, 1870, or of any Provisional Order made thereunder and confirmed by Parliament, or under the provisions of any local Act of Parliament :

33 & 34 Vict. c. 78.

But see *Blackpool and Fleetwood Tramroad Co. v. Bailey*, [1919] 17 L.G.R., 749, [1920] 1 K.B. 380, as to licence required for tramcar.

Any carriage starting from and previously hired for the particular passengers thereby carried at any livery stable yard (within the prescribed distance) whereat horses are stabled and carriages let for hire, the said carriage starting from the said stable yard and being bona fide the property of the occupier thereof, and not standing or plying for hire within the prescribed distance :

Any omnibus belonging to or hired or used by any railway company for conveying passengers and their luggage to or from any railway station of that company, and not standing or plying for hire within the prescribed distance :

Any omnibus starting from outside the prescribed distance, and bringing passengers within the prescribed distance, and not standing or plying for hire within the prescribed distance.

Extending certain provisions of principal Act to omnibuses.

4.—(1) The several terms “hackney carriages,” “hackney coach,” “carriages,” and “carriage,” whenever used in sections 37, 40 to 52 (both inclusive), 54, 58, and 60 to 67 (both inclusive) of the principal Act shall, notwithstanding anything contained in section 38 of that Act, be deemed to include every omnibus.

(2) The word “driver” or “drivers” when used in any of the said sections of the principal Act shall be deemed to include every conductor of any omnibus.

(3) For the purposes of sections 54, 58, and 66 of the principal Act, the fare, according to the statement of fares exhibited on any omnibus, shall be deemed to be the fare allowed by the principal Act or authorized by any bye-law under that Act.

Licences may be granted for short periods.

5. Any licence may be granted under the principal Act to continue in force for such less period than one year as the Commissioners* may think fit, and shall specify in the licence.

6. The commissioners* may from time to time make bye-laws for all or any of the following purposes, that is to say :—

Bye-laws.

For regulating the conduct of the proprietors, drivers, and conductors of omnibuses plying within the prescribed distance in their several employments, and determining whether such drivers and conductors shall wear any and what badges :

For regulating the manner in which the number of each omnibus corresponding with the number of its licence shall be displayed :

For regulating the number of persons to be carried by such omnibus, and in what manner such number is to be shown thereon :

For regulating the number and securing the fitness of the animals to be allowed to draw an omnibus, and for the removal therefrom of unfit animals :

For securing the fitness of the omnibus and the harness of the animals drawing the same :

For fixing the stands for omnibuses and the points at which they may stop a longer time than is necessary for the taking up and setting down of passengers desirous of entering or leaving the same :

* “Commissioners,” see definition in section 2 of the Town Police Clauses Act of 1847.

For securing the safe custody and re-delivery of any property accidentally left in any omnibus, and fixing the charge to be made in respect thereof :

To provide for the carrying and the lighting of proper lamps for denoting the direction in which the omnibus is proceeding, and promoting the safety and convenience of the passengers carried thereby :

To provide for the exhibition on some conspicuous part of every omnibus of a statement in legible letters and figures of the fares to be demanded and received from the persons using or carried for hire in such omnibus :

To prevent within the prescribed distance—

- (a) the owner, driver, or conductor of any omnibus, or any other person on their or his behalf, by touting, calling out, or otherwise, from importuning any person to use or to be carried for hire in such omnibus, to the annoyance of such person or of any other person ;
- (b) the blowing of or playing upon horns or other musical instruments, or the ringing of bells, by the driver or conductor of any omnibus, or by any person travelling on or using any such omnibus.

Provided that nothing in this Act contained shall empower the commissioners* to fix the site of the stand of any omnibus in any railway station, or in any yard adjoining or connected therewith, except with the consent of the railway company owning such site.

THE INFECTIOUS DISEASE (PREVENTION) ACT, 1890.

(53 & 54 Vict. c. 34.)

This is an adoptive Act not applying to the Metropolis.

11. Any person who hires or uses a public conveyance other than a hearse for the conveyance of the body of a person who has died from any infectious disease, without previously notifying to the owner or driver of such public conveyance that the person whose body is or is intended to be so conveyed has died from infectious disease, and after any such notification as aforesaid, any owner or driver of a public conveyance, other than a hearse, which has been used for conveying the body of a person who has died from infectious disease, who shall not immediately afterwards provide for the disinfection of such conveyance, shall be guilty of an offence under this Act.

Disinfection of public conveyances if used for carrying corpses.

THE PUBLIC HEALTH ACTS AMENDMENT ACT, 1907.

(7 Edw. 7, c. 53.)

PART I.—*General.*

2.—(1) This Act shall be construed as one with the Public Health Acts.

(2) Part I of this Act shall extend to England and Wales and Ireland exclusive of the Administrative County of London, and all or any of the remaining Parts or all or any of the sections thereof shall extend

Short title, construction, and extent of Act.

* "Commissioners," see definition in section 2 of the Town Police Clauses Act of 1847.

to any district to which all or any of those parts or sections are applied by an Order of the *Ministry of Health* or of the Secretary of State as the case may be . . .

3. [Application of parts or sections of Act by the Ministry of Health on the application of the local authority. Orders may be made with regard to any section or part of the Act, and subject to conditions set out in the Order. Publication of Orders.]

(4) In regard to Part VII (Police), Part VIII (Fire Brigade), and Part IX (Sky Signs) of this Act, the Secretary of State shall be deemed to be substituted in this section for the *Ministry of Health*.

PART IV.—*Infectious Diseases.*

Prohibiting conveyance of infected persons in public vehicles.

63. The owner or driver of a public vehicle within the district of the local authority used for the carrying of passengers at separate fares shall not knowingly convey or any other person shall not knowingly place in any such public vehicle a person suffering from any infectious disease, or a person suffering from any such disease shall not enter any such vehicle, and every person who shall offend against this section shall for every such offence be liable to a penalty not exceeding forty shillings.

Driver, &c., of infected person to give notice.

64.—(1) If any person suffering from any infectious disease is conveyed in any public vehicle within the district of the local authority the owner or driver thereof as soon as it comes to his knowledge shall give notice to the medical officer, and shall cause such vehicle to be disinfected, and, if he fails so to do, he shall be liable to a penalty not exceeding five pounds, and the owner or driver of such vehicle shall be entitled to recover in a summary manner from the person so conveyed, or from the person causing that person to be so conveyed, a sufficient sum to cover any loss and expense incurred by him in connection with such disinfection.

(2) It shall be the duty of the local authority when so requested by the owner or driver of such public vehicle to provide for the disinfection of the same free of charge, except in cases where the owner or driver conveyed a person knowing that he was suffering from infectious disease.

The following local Acts contain provisions similar to this section :—

The Acton Improvement Act, 1904, 4 Edw. 7, c. lii, s. 22.

The Leyton Urban District Council Act, 1904, 4 Edw. 7, c. ccxi, s. 115.

PART VII.—*Police.*

This part of the Act or portions thereof are brought into force in any particular district by an Order of the Secretary of State.

Regulations as to street traffic.

78. The local authority may from time to time make regulations with respect to such streets, to be specified in the regulations, as are specially liable to be obstructed by reason of the amount and nature of the traffic :—

- (a) Prescribing the line to be kept at any street crossing by all persons riding or driving ;
- (b) Requiring the drivers of heavy and slow-moving vehicles to keep their vehicles to a particular portion of the street.

All regulations under this section shall be subject to the approval of the Secretary of State.

Any person who shall contravene any such regulation after warning given by word or signal by a police constable stationed in the street to direct the traffic shall be liable to a penalty not exceeding forty shillings.

79. Every person who shall ride or drive so as to endanger the life or limb of any person or to the common danger of the passengers in any thoroughfare shall be liable to a penalty not exceeding forty shillings and may be arrested without warrant by any constable who witnesses the offence.

Dangerous riding and driving.

80. The local authority may, by order, prescribe the streets in which, and the manner according to which, the leading or driving of animals shall be permitted within their district, provided that the route or routes which it shall be lawful for the local authority so to prescribe shall not be such as would prevent the passage of cattle between any market on the one hand, and any railway station or landing wharf in the district, or any place beyond the district on the other hand, when such animals are merely passing between such market and railway station, landing wharf, or other place aforesaid, and the local authority shall be bound to allow at all times a reasonably short and efficient route or routes for the passage of such animals. Provided also that any such order shall only operate between the hours of nine in the morning and nine in the evening, and shall not prevent the owner of any animals driving the same to or from his own premises, and nothing in this enactment contained shall authorize the local authority to interfere with the leading or driving of any animals to any duly licensed slaughter-house.

As to leading or driving animals.

As to driving cattle within 6 miles of Charing Cross, see section 7 of 30 & 31 Vict. c. 134, p. 29.

81. Any place of public resort or recreation ground belonging to, or under the control of, the local authority, and any unfenced ground adjoining or abutting upon any street in an urban district shall for the purpose of the Vagrancy Act, 1824 [5 Geo. 4, c. 83], and of any Act for the time being in force altering or amending the same, be deemed to be an open and public place, and shall be deemed to be a street for the purposes of section 29 of the Town Police Clauses Act, 1847 [10 & 11 Vict. c. 89], and also for the purposes of so much of section 28 of that Act as relates to the following offences :—

Extending definition of public place and street for certain purposes.

Every person who suffers to be at large any unmuzzled ferocious dog, or urges any dog or other animal to attack, worry, or put in fear any person or animal :

Every person who rides or drives furiously any horse or carriage, or drives furiously any cattle :

Every common prostitute or nightwalker loitering and importuning passengers for the purpose of prostitution :

Every person who wilfully and indecently exposes his person :

Every person who publicly offers for sale or distribution, or exhibits to public view, any profane, indecent, or obscene book, paper, print, drawing, painting, or representation, or sings any profane or obscene song or ballad, or uses any profane or obscene language :

Every person who wantonly discharges any firearm or discharges any missile or makes any bonfire :

Every person who throws or lays any dirt, litter, ashes, or night soil, or any carrion, fish, offal, or rubbish, on any street.

The provisions of the above section have been put in force by Order of the Secretary of State in the undermentioned districts :—

Barnes (19th November, 1908).	Hornsey (1st January, 1909).
Barnet (18th November, 1908).	Kingston (10th December, 1908).
Bromley (15th December, 1908).	Malden (23rd November, 1910).
Carshalton (19th May, 1909).	Penge (18th October, 1909).
Chertsey (4th March, 1911).	Richmond (29th December, 1908).
Cheshunt (28th April, 1910).	Southgate (17th January, 1912).
Chingford (16th December, 1908).	Sutton (23rd December, 1908).
Chislehurst (2nd April, 1909).	The Maldens and Coombe (18th
Chiswick (24th August, 1909).	December, 1908).
East Barnet Valley (12th November, 1909).	Twickenham (16th December, 1908).
Enfield (26th July, 1909).	Waltham Holy Cross (25th February, 1909).
Epsom (18th December, 1908).	Walton-on-Thames (13th October, 1911).
Esher and Ditton U.D. (1st April, 1909).	Watford U.D. (27th October, 1908).
Finchley (26th August, 1909).	Wealdstone (20th January, 1915).
Foots Cray (12th November, 1909).	West Ham (11th January, 1909).
Friern Barnet (1st January, 1909).	Wimbledon (21st December, 1908).
Hampton Wick (17th December, 1908).	Woodford (26th January, 1909).
Harrow-on-the-Hill (8th December, 1908).	

Similar provisions are contained in section 69 of the Willesden Urban District Council Act, 1903 (3 Edw. 7, c. clxxxi), section 105 of the Acton Improvement Act, 1904 (4 Edw. 7, c. lii), section 134 of the Leyton Urban District Council Act, 1904 (4 Edw. 7, c. ccxl), section 80 of the Ealing Corporation Act, 1905 (5 Edw. 7, c. clxxxiii).

Power to
police officer
to control
street traffic
at fires.

88. The officer in charge of the police at any fire in the district shall have power to stop or regulate the traffic in any street whenever in his opinion it is necessary or desirable to stop or regulate such traffic for the purpose of extinguishing the fire or for the safety or protection of life or property, and any person who wilfully disobeys any order given by such officer in pursuance of this section shall be liable to a penalty not exceeding five pounds.

Proceedings under this section must be by summons.

CHAPTER IV.

BYE-LAWS.

BYE-LAWS for good rule and government may be made :

- (1) In the Metropolis by the London County Council (Local Government Act, 1888 (51 & 52 Vict. c. 41), s. 16).
- (2) In any particular Metropolitan borough by the council thereof [Municipal Corporations Act, 1882, s. 23; Local Government Act, 1888, s. 16, and London Government Act, 1899 (62 & 63 Vict. c. 14), s. 5 (2), Sched. II, Part II], but a borough bye-law must not conflict with a county council bye-law (62 & 63 Vict. c. 14, s. 5).
- (3) Outside the Metropolis, for a borough, by the borough council [Municipal Corporations Act, 1882 (45 & 46 Vict. c. 50), s. 23], and for any portion of a county not within a borough by the county council [Local Government Act, 1888 (51 & 52 Vict. c. 41), s. 16].

In the Metropolis it is the duty of every sanitary authority to make, observe, and enforce bye-laws for the prevention of nuisances arising from any snow, ice, salt, dust, ashes, rubbish, offal, carrion, fish, or filth, or other matter or thing in a street [Public Health (London) Act, 1891, 54 & 55 Vict. c. 76, s. 16 (1) (3)].

Such bye-laws are not to prohibit the laying of sand or other material in time of frost or of litter or other matter to prevent the freezing of water in pipes or in case of sickness to prevent noise, if the same is laid and when occasion ceases removed in accordance with the bye-laws (*ibid.*, s. 16 (5)).

Many other Acts give powers to authorities to make bye-laws regarding the use of highways (as, e.g., the Town Police Clauses Act, s. 21, as to orders for prevention of obstructions, see p. 59; section 26 of the Highways and Locomotives Amendment Act, 1878, as to carts and waggons; section 6 of the Locomotives Act, 1898, as to locomotives on highways, p. 165).

Local Acts frequently contain powers to make bye-laws, and in the City of London bye-laws may be made under the City of London Various Powers Act, 1911, 1 & 2 Geo. 5, c. lxxxiv.

Certain of the bye-laws are set forth below at p. 85.

The following is a list of cases which have arisen with respect to bye-laws and their infringement :—

Driving negligently	<i>Bolton v Everett</i> , [1911] 75 J.P. 534.
Fares on tramcars	<i>Heap v. Day</i> , 34 W.R. 627; 51 J.P. 213.
Fares, overpayment of cabdriver ..	<i>Ely v. Godfrey</i> , 86 J.P. 82.
Lights on vehicles (now dealt with by Lights on Vehicles Act, 1907, 7 Edw. 7, c. 45).	<i>Walker v. Stretton</i> , [1896] 60 J.P. 313. <i>William v. Groves</i> , [1896] 12 T.L.R. 450. <i>Heiton & Co. v. McSweeney</i> , [1905] 2 I.R. 47. <i>Adamson v. Miller</i> , [1900] 16 T.L.R. 185; [1900] 44 Sol. J. 278.

- Noisy instruments and singing in streets. *Brownscombe v. Johnson*, [1898] 62 J.P. 326.
Southend-on-Sea Corporation v. Davis, [1900] 16 T.L.R. 167.
Kruse v. Johnson, [1898] 2 Q.B. 91.
Johnson v. Croydon Corporation, [1886] 16 Q.B.D. 708.
Munro v. Watson, [1887] 51 J.P. 660.
R. v. Powell, [1884] 48 J.P. 740.
Booth v. Howell, [1889] 53 J.P. 678.
(D.O.R.A. regulations regarding whistling for cabs, S.R. & O. 562 of 1916.)
- Offensive or indecent language or behaviour in streets. *Manlie v. Jordan*, [1897] 1 Q.B. 248.
Nash v. Finlay, [1902] 66 J.P. 183.
Strickland v. Hayes, [1896] 1 Q.B. 290, explained in *Thomas v. Sutters*, [1900] 1 Ch. 10 C.A.
Brabham v. Wookey, [1901] 18 T.L.R. 99.
Russon v. Dutton (No. 2), [1911] 75 J.P. 209.
Dalton v. White, [1914] 48 I.L.T. 149 (distribution of abusive handbills outside late employer's premises held insulting behaviour whereby a breach of the peace might have been caused).
- Offensive or indecent language or behaviour on tramcars. *Gentel v. Rapps*, [1902] 1 K.B. 160.
- Reasonable, bye-laws must be .. *Adamson v. Miller*, [1900] 44 Sol. J. 278, [1900] 16 T.L.R. 185.
Heap v. Day, 51 J.P. 213, 34 W.R. 627.
- Roundabouts, swings, and shooting galleries in or near streets. *Teale v. Harris*, [1896] 60 J.P. 744.
Enniscorthy U.D.C. v. Field, [1904] 2 I.R. 518.
- Street betting *White v. Morley*, [1899] 2 Q.B. 34.
Burnett v. Berry, [1896] 1 Q.B. 641.
Thomas v. Sutters, [1900] 1 Ch. 10 C.A.
Jones v. Walters, [1898] 62 J.P. 374.
Godwin v. Walker, [1896] 60 J.P. 308.
Hickey v. Hay, [1900] 17 T.L.R. 52.
This matter is now dealt with by the Street Betting Act, 1906 (6 Edw. 7, c. 43), *Scott v. Pilliner*, [1904] 2 K.B. 855, where a bye-law prohibiting the distribution of betting newspapers was held to be invalid.
- Street shouting and hawking .. *Innes v. Newman*, [1894] 2 Q.B. 292.
- Strewing paper, refuse, or glass in streets. *Batchelor v. Sturley*, [1905] 69 J.P. 398.
- Validity of bye-laws See "Reasonable" above.

Many bye-laws deal with the Rule of the Road to keep to the left. The general law controlling this matter is as follows:—

Rule of the Road.

At common law anyone may drive a vehicle on any part of a highway and there is no rule of the road.

The Highway Act, 1835, provides, by section 78 (p. 47), that carriages and animals shall be driven on the left or near side of the road, and that passage shall not be obstructed.

The Town Police Clauses Act, 1847 (p. 61), provides, by section 28, that the driver of a carriage meeting another is to keep to the left, and overtaking another is to keep to the right, except in a case of "actual necessity or sufficient reason for deviation."

Neither the Highway Act, 1835, nor the Town Police Clauses Act, 1847, apply to the City of London, and the Town Police Clauses Act does not apply to the Metropolis (County of London).

The City of London (Street Traffic) Act, 1909, and Regulations of 1911 (see p. 40) make similar, but not the same, provisions for the City.

In the Metropolis a London County Council bye-law directs slow-moving traffic to keep "as close to the kerb as possible."

There is no statutory rule of the road for foot passengers, who may wander where they will, though, of course, they may be guilty of obstruction or may be hurt owing to their own negligence, in which case no one but themselves is to blame.

It is to be noted that the terms of the provisions in the Highway Act and the Town Police Clauses Act noted above are not the same. Nothing is said in the Highway Act as to *overtaking* a carriage, save the provision against obstruction of passage by the slower-moving carriage or person. Nothing is said in the Town Police Clauses Act as to driving or riding *animals* on the near side of the road, &c.

Again, the L.C.C. bye-law mentioned does not define slow-moving traffic, or say whether absolutely or relatively slow is the meaning.

As to tramcars. It is submitted that tramcars are carriages within the Highway Act and the Town Police Clauses Act (*Taylor v. Goodwin*, [1879] 4 Q.B.D. 228; *Cannan v. Earl of Abingdon*, [1900] 2 Q.B. 66; *Simpson v. Teignmouth & Sheldon Bridge Co.*, [1903] 1 K.B. 405; *Smith v. Kynnersley*, 66 J.P. 679, [1903] 1 K.B. 788 C.A.; *Burton v. Nicholson*, [1909] 1 K.B. 397; see also definition of omnibus in Town Police Clauses Act, 1889).

A vehicle meeting a tramcar in the Metropolis must, therefore, keep to the left under the Highway Act, and that Act does not deal with the case of a vehicle overtaking another vehicle.

Outside the Metropolis the same rule on meeting applies either under the Highway Act or the Town Police Clauses Act, and in addition the rule of the Town Police Clauses Act applies, namely, to overtake a tramcar on the off side except in a case of "actual necessity or sufficient reason for deviation."

In the City of London the rule is that it is optional to pass a tramcar moving in the opposite direction on either side, while it is compulsory to pass a tramcar going in the same direction on the off side. See Regulation 5, p. 40.

In some places outside London local regulations direct that tramcars should be passed only on the near side. It is useful here to note that to obstruct a tramcar by driving slowly along the rails in front of it would be an offence against section 50 of the Tramways Act (see p. 290), besides being an offence under the Highway Act, s. 78, and Town Police Clauses Act, s. 28.

Returning now to vehicles in general: The rule to keep to the near side of the road means, not as close to the kerb as possible, but on

the left side of the centre line of the road. *Bolton v. Everett*, [1911] 75 J.P. 534; *Sleith v. Godfrey*, 90 L.J. K.B. 193, 124 L.T. 152.

The non-observance of a rule of the road is an offence when it causes or is likely to cause obstruction or nuisance. It is, of course, evidence of negligence in an accident.

On a clear highway with nothing in sight there is no reason why a driver should not keep the right-hand side of the road and along the surface which suits him best (*Wallace v. Bergius*, 52 Sc. L.R. 130; [1915] S.C. 205; but see *Tait v. Robert Trotter & Son*, 54 Sc. L.R., [1917] 298, which seems to show that a heavy locomotive under section 3 of 28 & 29 Vict. c. 83 must always be on the near side of the road), indeed, a driver must pull out to the right to pass another vehicle. If an accident occurs his position in the road may well prove to be evidence of negligence. Putting the proposition in another form, it may be said that the non-observance of a rule of the road to keep to the left is not necessarily negligence, and circumstances may arise in which it is reasonable to disobey it (*Wallace v. Bergius*, [1915] S.C. 205). For example, when the road was otherwise clear the driver of one vehicle signalled to a second driver to pass him on the near side. An accident occurred and the driver of the first vehicle was held not to be negligent (*Nuttall v. Pickering*, [1913] (1) K.B. 14; see also *Umphray v. Ganson Bros.*, [1917] S.C. 371).

In cases of negligence it may be said that there is no such rule of the road as to make the left always the proper side (*Finegan v. L. & N.W. Railway Co.*, [1889] 53 J.P. 663; *Cruden v. Fentham*, 2 Esp. 685; *Clay v. Wood*, [1803] 5 Esp. 44; *Wordsworth v. Willan*, [1805] 5 Esp. 273; *Williams v. Richards*, [1852] 3 C. & K. 81; *Springett v. Ball*, [1865] 4 F. & F. 472).

The case of *Norton v. Lees* (unreported October, 1921) is interesting. In this case the driver of a relatively slow-moving lorry kept in the middle of the road for half a mile while, unknown to him, a motor car was trying to pass. The driver was held to have obstructed passage.

There is no statute or bye-law which deals with the case of a vehicle approaching a main road from a bye-road, but the Scotch case of *McAndrew v. Tillard*, [1909] S.C. 11, F. 78, may be quoted as an authority for the common-sense propositions that "it is the business of the person on the side road to give way to the person on the main road," and that "a greater degree of care is necessary when approaching a high road than is necessary when approaching a bye-road." See also *Campbell v. Train*, [1910] S.C. 556; *Robertson v. Wilson*, [1912] S.C. 1276.

BYE-LAWS.

- (1) GOOD RULE AND GOVERNMENT.
- (2) CARTS, WAGGONS, &c.
- (3) LOCOMOTIVES ON HIGHWAYS.

The following list shows the subjects dealt with by Bye-laws of local authorities:—

- | | | |
|-------------------------------|-----------------------------|----------------------------|
| Advertising bills, &c. | *Flags across street. | Obstruction, by goods, |
| *Advertising vehicles. | Flash and search lights. | awnings, &c. |
| Affixing bills, placards, &c. | Fruit skins, &c. | Offensive offal. |
| Animals, noisy. | *Furious driving or riding. | Orange peel, &c. |
| Areas, &c., left open | | *Orders under Lights on |
| without sufficient pro- | Games, dangerous. | Vehicles Act. |
| tection. | Gipsies. | |
| Awnings, obstruction by. | Glass, broken, &c. | Pavements, defacing. |
| | | *Perambulators. |
| Banana skins, &c. | *Hooded vans. | Performing bears. |
| Bathing, indecent. | *Horns, blowing of. | |
| Bears, performing. | | *Riding, furious. |
| Bells, ringing at | Implements, not properly | Ringing at bells. |
| Bills, advertising. | protected, carrying of. | *Roller skating. |
| „ placards, affixing. | Inciting to fight. | Roundabouts, steam |
| *Blowing of horns. | Indecent bathing. | organs, &c. |
| Broken glass, &c. | Indecent or disorderly con- | |
| Buildings, &c., defacing of. | duct, &c. | Search and flash lights. |
| *Bulls, driving of. | Indecent shows. | Sharp substances. |
| | | Shooting galleries, round- |
| Carcases, uncovered. | Jostling, wilful, &c. | abouts, &c. |
| Carriage of timber, &c. | | *Skating. |
| Carrying soot, &c., or | Knocking at doors. | Slides, making of. |
| implements not pro- | | Soot, &c., carrying of. |
| perly protected. | Lamps, extinguishing pub- | Spitting. |
| *Carts, waggons, require- | lic. | Steam organs, shooting |
| ments of. | *Lamps marking road | galleries, roundabouts, |
| *Cattle, driving of | obstructions at night, | &c. |
| Cellars, areas, &c., left | <i>see Addenda.</i> | Stones, &c., throwing of. |
| open without sufficient | *Lights on pantehnicons. | Street shouting, noisy |
| protection. | *Lights on vehicles. | hawking, &c. |
| Coal, loading and unload- | *Lights on Vehicles Act, | Street music, &c. |
| ing of. | Orders under. | |
| | Loading and unloading | Throwing missiles. |
| Dangerous games. | coal, casks, &c. | Timber, &c., carriage of. |
| Defacing buildings, trees, | *Locomotives on high- | Touting. |
| &c. | ways. | |
| Defacing milestones, | Loitering near place of | Uncovered carcasses. |
| guide-posts, &c. | worship. | |
| Defacing pavements. | | *Vans, hooded. |
| Defacing public notices. | Milestones, guide-posts, | *Vehicles, advertising. |
| Depositing handbills for | &c. | *Vehicles, obstruction by. |
| purposes of advertising. | Music, street, near hos- | *Vehicles, lights on. |
| Disorderly or indecent | pital, &c. | Vehicles, lights on pan- |
| conduct. | | technicons. |
| Dogs, ferocious, at large. | Noisy animals. | |
| Doors, knocking at. | *Noises by excursionists. | Waste paper, refuse, &c. |
| *Driving of bulls. | Noisy hawking, &c. | *Whistling for cabs. |
| *Driving of cattle. | Notices, public, defacing | Wilful obstruction, |
| *Driving, furious. | of. | jostling, &c. |
| | | Window cleaning and |
| Expectorating. | Obscene language, &c. | painting. |
| Fairs. | Obstruction, by vehicles. | Writing on foot pave- |
| Fighting. | | ments. |

The Bye-laws controlling traffic in Blackwall, Rotherhithe, Greenwich, and Woolwich tunnels, Woolwich free ferry, and the Embankment tramway subway are given *in extenso*. The Bye-laws affecting carts and waggons are given at p. 114, and those affecting locomotives at p. 117.

Certain of the Bye-laws which directly affect vehicles and traffic are printed below. These Bye-laws are marked with an asterisk in the above list.

There is no power of arrest, unless otherwise stated, without warrant under the Bye-laws. The procedure is by summons.

The penalty for any breach of these Bye-laws is forty shillings, unless otherwise stated.

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(1) GOOD RULE AND GOVERNMENT BYE-LAWS.

COUNTY OF LONDON.

(Sealed 25th July, 1912.)

No owner of a vehicle shall drive such vehicle or permit the same to be driven or to be upon any highway, unless it be so constructed that the driver thereof shall have a full and uninterrupted view of the traffic on such highway in front and abreast of him on each side, and no person who shall be driving any vehicle upon any highway shall occupy such a position as will prevent or interfere with his having such full and uninterrupted view as aforesaid. Hooded vans.

Provided that this Bye-law shall not apply to any carriage using a tramway which, owing to its disablement by accident, breakdown or otherwise, is being pushed or driven from its rear end, in accordance with the regulations made from time to time by the Board of Trade as regards the removal of disabled carriages.

(Sealed 13th June, 1913.)

1. Every person who shall cause or permit any vehicle to be in any street, highway or road to which the public have access shall, if such vehicle has a projecting seat (commonly known as a "dickey") for the driver, provide and maintain in connection with such seat substantial and efficient straps or other means of support, sufficient to prevent such driver from falling from such seat in case of accident or emergency; and such driver shall use such straps or other means of support so as to prevent himself from falling from such seat in case of accident or emergency. Dickey straps.

2. Every person who shall cause or permit any four-wheeled van, dray or heavy vehicle (other than a four-wheeled van, dray or heavy vehicle drawn or propelled by mechanical power) to be in any street, highway or road to which the public have access, shall provide and maintain in good working order an efficient skid pan or lock chain which shall be attached to the body of the van, dray or heavy vehicle, and be capable of adjustment to one of the back wheels of the van, dray or heavy vehicle; and any person driving such van, dray or heavy vehicle down hill shall, when necessary, properly apply such skid pan or lock chain to one of the back wheels of such van, dray or heavy vehicle. Skid pans or lock chains.

3. Every person who shall cause or permit any four-wheeled van, dray or heavy vehicle (other than a four-wheeled van, dray or heavy vehicle drawn or propelled by mechanical power), to be in any street, highway or road to which the public have access, shall provide and maintain in good working order an effective brake, which shall be fitted with some locking arrangement by which it can be left applied when the driver quits his seat, and shall be of such construction and maintained in such condition by means of a covering of leather or otherwise as to prevent it, when applied, from making any loud or continuous noise to the annoyance of inhabitants or passengers; and any person driving such van, dray or heavy vehicle shall apply such brake when necessary. Brakes.

Provided that this Bye-law shall not apply to any van, dray or heavy vehicle existing at the date on which this Bye-law shall come into force for a period of three years from such date.

(Sealed 20th November, 1913.)

Defective
vehicles in
streets.

In any case where a vehicle breaks down and causes obstruction to traffic in any street or public place and the breakdown of such vehicle is due to its defective condition or to its being overloaded, the owner of such vehicle or any other person who caused or permitted it to be used and the driver thereof shall each be guilty of an offence.

Provided that no person shall be convicted under this Bye-law if he satisfies the Court that he had taken all reasonable means to put and maintain the vehicle in proper condition or to prevent its being overloaded, or, being the driver of the vehicle, that he was unaware of its defective or overloaded condition.

(Sealed 12th March, 1914.)

Slow-moving
traffic.

Every person driving or being in charge of any vehicle which is moving at a slow pace in any street shall, as far as practicable, keep the vehicle on the left or near side of the street and close to the kerb of the footway, or, where tramway lines are laid upon the left or near side of the street, as close to such lines as possible, but so as not to obstruct any tramway carriage using such lines.

(Sealed 30th July, 1920.)

Whistling
for cabs.

No person shall in any street or public place or on any premises adjoining or near thereto blow or cause to be blown any whistle or any other noisy instrument for the purpose of hailing cabs, carriages or other vehicles.

BLACKWALL TUNNEL.

Bye-laws made by the London County Council in pursuance of the provisions of the Thames Tunnel (Blackwall) Act, 1887, the Metropolis Management Act, 1855, and the Local Government Act, 1888.

(Sealed 23rd November, 1915.)

Definitions.

In these Bye-laws unless the context otherwise requires—

“The tunnel” means the tunnel and so much of the approaches thereto as is within the entrance archways situate respectively at the junction of the northern approach with East India Dock Road and at the junction of the southern approach with Teddington Place.

“Cattle” includes bull, ox, cow, heifer, calf, sheep, goats, and swine, also horses, mules, and asses, when led in a string or loose.

Regulation
of traffic.

1. Any person who shall ride on horseback, or drive or conduct any cart, carriage, or other vehicle into or through the tunnel shall keep to the left side of the road, and shall, unless prevented by traffic or other unavoidable cause, proceed without stopping. Provided that this Bye-law shall not be deemed to prohibit the stoppage of a vehicle for such time as may be necessary for the purpose of taking up or setting down any passengers who may require to be taken up or set down.

2. Any person passing on foot through the tunnel shall, unless otherwise directed by the police on duty, keep to the footway on the right side of the tunnel.

3. No person shall go down any of the steps, or any part of any spiral staircase, provided for the purpose of exit from the tunnel.

4. No person shall go up any of the steps, or any part of any spiral staircase, provided for the purpose of entry to the tunnel.

5. No person who shall ride on horseback, or drive or conduct any cart, carriage, or other vehicle into or through the tunnel, shall turn such horse, cart, carriage, or other vehicle, or pass or attempt to pass any horse, cart, carriage, or other vehicle, in such a manner as to interfere in any way with foot passengers, or the space to be used by foot passengers, or with any horse, cart, carriage, or other vehicle proceeding in the opposite direction.

6. No person shall drive or conduct into the tunnel any cart, carriage, or other vehicle which will not (with its load, if any) pass through without touching the gauge erected at the entrance of the tunnel.

7. No person shall drive or conduct into or through the tunnel any cart, carriage, or other vehicle which is not provided with sufficient and reliable brakes or skids, and with such animal or mechanical power as when ascending any gradient will prevent obstruction of or interference with any other cart, carriage, or other vehicle which may be in the tunnel.

8. No person shall drive or conduct into or through the tunnel any cart, carriage, or other vehicle laden with timber, metal, or any other article which exceeds in length 25 feet, or which protrudes more than 8 feet behind the vehicle.

9. No person shall drive or conduct into or through the tunnel any vehicle the weight of which when loaded shall exceed 5 tons on any wheel.

10. No person shall drive or conduct any vehicle propelled by mechanical power into or through the tunnel at a greater speed than—

- (i) In the case of vehicles of or under 2 tons in weight unladen—8 miles an hour.
- (ii) In the case of vehicles over 2 tons in weight unladen—6 miles an hour.
- (iii) In the case of vehicles drawing a trailer—4 miles an hour.

Provided that this Bye-law shall not authorize a greater speed in respect of any heavy motor car within the meaning of the Heavy Motor Car Order, 1904, than is permitted by such Order.

The weight of any vehicle unladen for the purposes of this Bye-law, means the weight of such vehicle exclusive of the weight of any water, fuel, or accumulators used for the purpose of propulsion.

11. No person shall drive or conduct into or through the tunnel any cattle or any animal forming part of a menagerie, or any wild animal, unless such animal shall be under proper control.

12. No person shall take into the tunnel any loaded firearm or any explosive within the meaning of the Explosives Act, 1875, or any petroleum to which the Petroleum Act, 1871, applies, or any corrosive acid or other substance, whether similar to those above mentioned or not, which may cause injury or fire or explosion in the tunnel or prejudicially affect the use of the tunnel or cause or be likely to cause any danger to any person in or using the tunnel.

Prevention
of injury or
damage.

Provided that this Bye-law shall not apply to safety cartridges, safety fuses for blasting, railway fog signals, or percussion caps. Provided also that this Bye-law shall not prohibit the conveyance through the tunnel of petroleum which is being used on a motor vehicle for the purpose only of the propulsion of such vehicle, or which is being carried on a motor vehicle for such use. (Penalty twenty pounds.)

13. No person shall climb upon or do damage to the structure of the tunnel, or any of the entrance gates or gateways, or remove or damage any of the railings, fences, seats, staircases, stairs, barriers, gates, lamps, lamp-posts, pipes, telephone boxes, wires, notice-boards, machinery or other matters or things in or appurtenant to the tunnel, or post any bill, placard, or notice, or write, stamp, cut, print, draw, or make marks in any manner on any part thereof.

Prevention
of nuisances.

14. No person shall commit any nuisance contrary to public decency or propriety in the tunnel.

15. No person shall drive or conduct into or through the tunnel any cart or other vehicle carrying any faecal or offensive or noxious matter or liquid, or any vehicle (except a fire-engine) emitting smoke or visible vapour so as in any manner to be a nuisance or to endanger, or to be likely to endanger, the safety or interfere with the convenience of any person using the tunnel.

GREENWICH TUNNEL.

Bye-laws made by London County Council in pursuance of the provisions of the Thames Tunnel (Greenwich to Millwall) Act, 1897, and the Metropolis Management Act, 1855.

(Dated 14th July and 13th October, 1903.)

Definitions.

In these Bye-laws unless the context otherwise requires—

“The tunnel” means the tunnel and the approaches, lifts, stairs, passages, and other means of ingress or egress thereto or therefrom, between Wharf Road, Poplar, on the north and Church Street and Brewhouse Lane, Greenwich, on the south.

“Cattle” includes bull, ox, cow, heifer, calf, sheep, goats, swine, horses, mules, and asses.

The word “Council” means the London County Council.

Regulation
of traffic.

1. Any person passing into or through the tunnel shall, unless otherwise directed by the police on duty, or by the superintendent or foreman of the tunnel, or by notices from time to time displayed by order of the Council, keep to the right side of the tunnel.

Animals.

2. No person shall drive or conduct into the tunnel any cattle or any animal forming part of a menagerie, or any wild animal.

Cycles, &c.

3. No person shall ride a bicycle, tricycle, or other vehicle in the tunnel.

Dogs.

4. No person shall take a dog into or through the tunnel except such dog be led by a chain, string, or other attachment, or be carried by such person.

5. No person shall erect a stall or hawk goods, or beg or collect money, or by loitering or otherwise cause any obstruction in the tunnel.

6. No person shall take into the tunnel any loaded firearm, or any explosive within the meaning of the Explosives Act, 1875, or any petroleum to which the Petroleum Act, 1871, applies (whether conveyed in the tank of a motor vehicle or not), or any corrosive acid or other substance whether similar to those above-mentioned or not which may cause injury or fire or explosion in the tunnel or prejudicially affect the use of the tunnel, or cause or be likely to cause any danger to any person in or using the tunnel, provided that this bye-law shall not apply to safety cartridges, safety fuses for blasting, railway fog signals or percussion caps.

Prevention of injury or damage.

7. No person shall climb upon or do damage to the structure of the tunnel, or any of the entrance gates or gateways, or remove or damage any of the railings, fences, seats, staircases, lifts, stairs, barriers, gates, urinals, lamps, lamp-posts, pipes, telephone boxes, wires, notice-boards, machinery, or other matters or things in or appurtenant to the tunnel, or post any bill, placard or notice, or write, stamp, cut, print, draw, or make marks in any manner on any part thereof.

8. No person shall make any loud noise or shrill sound by whistling or otherwise, or shout in the tunnel, or throw down any orange peel or rind of other fruit, or any filth or rubbish in the tunnel, or commit any nuisance in the tunnel contrary to public decency or propriety.

Prevention of nuisances.

9. No person shall wilfully obstruct or impede any servant of the Council in the execution of his duty in or about the tunnel.

Obstructing Council's officer.

10. No person shall enter or be in the tunnel in a state of intoxication.

Intoxicated persons.

11. No person shall enter a lift which contains the full number of persons which the Council has decided it should convey after he has been informed by the lift attendant, or any duly authorized servant of the Council, that such lift is full.

Regulations for use of lifts.

12. No person shall enter or leave or attempt to enter or leave a lift whilst it is in motion.

13. No person shall take any bicycle, tricycle, perambulator, mail-cart, or other vehicle into a lift if forbidden by the lift attendant on the ground that there is no room for the same after the passengers waiting for conveyance have been taken into the lift. Nor shall any person take into the lift any material, package, or article which may be offensive or interfere with the comfort or convenience of other passengers using the lift, or otherwise wilfully interfere with the comfort or convenience of such passengers.

14. No person shall smoke in a lift.

15. No person shall spit in or upon any lift.

ROTHERHITHE TUNNEL.

(Sealed 23rd November, 1915.)

Bye-laws made by the London County Council, pursuant to section 54 of the Thames Tunnel (Rotherhithe and Ratcliff) Act, 1900, the Metropolitan Management Act, 1855, and the Local Government Act, 1888.

In these Bye-laws, unless the context otherwise requires—

Definitions.

“Cattle” includes bull, ox, cow, heifer, calf, sheep, goats, and swine, also horses, mules, and asses, when led in a string or loose.

"The tunnel" means the tunnel and so much of the approaches thereto as is within the entrance archways situate respectively at the junction of the northern approach with Horse Ferry Branch Road and at the junction of the southern approach with Lower Road, Rotherhithe.

The Bye-laws for Rotherhithe Tunnel are identical with those for Blackwall Tunnel, Nos. 1 to 15 (see pp. 86 to 88).

WOOLWICH TUNNEL.

(Sealed 23rd July, 1912, and 22nd June, 1915.)

Bye-laws made by the London County Council, pursuant to section 23 of the Thames Tunnel (North and South Woolwich) Act, 1909, the Metropolis Management Act, 1855, and the Local Government Act, 1888.

Definitions.

In these Bye-laws, unless the context otherwise requires—

The expression "the tunnel" means the tunnel and the lifts, stairs, passages, and other means of ingress and egress thereto and therefrom.

The word "Council" means the London County Council.

The word "cattle" includes bull, ox, cow, heifer, calf, sheep, goat, swine, horse, mule, and ass.

Regulation of traffic.

1. No person shall take a dog into or through the tunnel except such dog be led by a chain, string, or other attachment, or be carried by such person.

2. No person shall drive or conduct into the tunnel any cattle or any animal forming part of a menagerie, or any wild animal, or any bicycle, tricycle, or other vehicle.

Notwithstanding the foregoing provision, a bicycle, tricycle, or perambulator may be wheeled through the tunnel unless forbidden by the police on duty or the superintendent or foreman of the tunnel on the ground that the traffic in the tunnel is congested.

3. Any person passing into or through the tunnel shall, unless otherwise directed by the police on duty (or by the superintendent or foreman of the tunnel, or by notices from time to time displayed by order of the Council), keep to the right side of the tunnel.

4. No person shall wilfully or deliberately go down any of the steps, or any part of any spiral staircase, provided for the purpose of exit from the tunnel.

5. No person shall wilfully or deliberately go up any of the steps, or any part of any spiral staircase, provided for the purpose of entry to the tunnel.

6. No person shall erect a stall or hawk goods or beg or collect money or by loitering or otherwise cause any obstruction in the tunnel.

7. No person shall wilfully or deliberately enter or remain in the tunnel during such times as it may be closed to the public.

Prevention of injury or damage.

8. No person shall take into the tunnel any loaded firearm or any explosive within the meaning of the Explosives Act, 1875, or any petroleum to which the Petroleum Act, 1871, applies (whether conveyed in the tank of a motor vehicle or not), or any corrosive acid

or other substance whether similar to those above-mentioned or not, which may cause injury or fire or explosion in the tunnel or prejudicially affect the use of the tunnel, or cause or be likely to cause any danger to any person in or using the tunnel, provided that this bye-law shall not apply to safety cartridges, safety fuses for blasting, railway fog signals or percussion caps.

9. No person shall climb upon or do damage to the structure of the tunnel or any of the entrance gates or gateways, or remove or damage any of the railings, fences, seats, staircases, lifts, stairs, barriers, gates, lamps, lamp-posts, notice-boards, notices, or any other structure or erection in the tunnel or in connection therewith, or post any bill, placard, or notice, or write, stamp, cut, print, draw, or make marks in any manner in the tunnel or on any part thereof.

10. No person shall without lawful excuse interfere with or break any valve, pipe, wire, telephone box, apparatus, or machinery, or any other thing appurtenant to the maintenance, regulation, or management of the tunnel.

Interfering
with works

11. No person shall commit any nuisance contrary to public decency or propriety in the tunnel.

Prevention
of nuisance

12. No person shall make any loud noise or shrill sound by whistling or otherwise, or shout in the tunnel, or throw down any filth or rubbish in the tunnel.

13. No person shall wilfully obstruct or impede any servant of the Council in the execution of his duty in or about the tunnel.

14. No person shall enter or be in the tunnel in a state of intoxication.

15. No person shall enter a lift which contains the full number of persons which the Council has decided it should convey after he has been informed by the lift attendant, or any duly authorized servant of the Council, that such lift is full.

Regulations
for use of
lifts.

16. No person shall enter or leave or attempt to enter or leave a lift whilst it is in motion.

17. No person shall take into a lift any material, package, or article which may be offensive or interfere with the comfort or convenience of other passengers using the lift, or otherwise wilfully interfere with the comfort or convenience of such passengers.

18. No person shall take into a lift any bicycle, tricycle, or other vehicle if forbidden by the police on duty or the superintendent or foreman of the tunnel on the ground that the traffic in the tunnel is congested.

19. No person shall smoke in a lift.

20. No person shall spit in or upon the tunnel or the approaches, stairs, lifts, passages, or other means of ingress or egress thereto or therefrom.

Power of arrest is given under section 27 of the London County Council (General Powers) Act, 1900, with regard to offences in tunnels if the name or residence of the offender is unknown and cannot be ascertained.

Arrest of
offenders.

N.B.—The foregoing Bye-laws respecting Blackwall, Greenwich, Rotherhithe, and Woolwich Tunnels are in addition to and not in derogation of the provisions of any enactment relating to highways or streets.

TRAMWAY SUBWAY.*

(Made by the London County Council under the provisions of section 30 of the London County Council (Tramways and Improvements) Act, 1906, with respect to the tramway subway from Southampton Row to the Victoria Embankment.)

(Dated 30th July, 1907.)

- Definitions. 1. In these Bye-laws unless the context otherwise requires—
 “The Council” means the London County Council.
 “The subway” has the meaning assigned to that term in the London County Council (Tramways and Improvements) Act, 1906.
 “The tramway” means the tramway in the subway.
 “Tramcar” means a carriage used on the tramway.
- Preventing unauthorized use of subway. 2. No person unless acting in pursuance of any authority of the Council or other legal authority shall enter or be upon or pass along the tramway or the permanent way thereof.
 No person shall—
- Causing obstruction. 3. By hawking any goods or by loitering or otherwise cause any obstruction of the stairways or approaches to the subway or the entrances, exits, or platforms of the subway; or
- Injuring notice boards, &c. 4. Pull down or injure any bill, placard, notice or board put up or affixed in the subway for the purpose of publishing any bye-law or penalty or for other purposes in connection with the regulation or management of the subway, or deface, alter, or obliterate any letters or figures on such bill, placard, notice, or board; or
- Preventing nuisance. 5. Take any dog or other animal into the subway, or enter or be in the subway in a verminous condition or in a state of intoxication, or play any musical instrument, or wantonly and without reasonable cause make any loud noise by shouting, whistling, or otherwise, or spit or commit any nuisance contrary to public decency or propriety in the subway; or
- Posting bills, &c. 6. Without the consent of the Council in writing, post any bill, placard, or notice in the subway or on any structure or erection in connection therewith, or deface by writing or other marks the subway or any structure or erection in connection therewith; or
- Preventing damage. 7. Throw any stone or other missile into the subway, or climb upon, remove, or damage any of the gates, gateways, railings, seats, barriers, lamps, lamp-posts, or any other structure or erection in the subway or in connection therewith; or
- Interfering with works. 8. Without lawful excuse interfere with or break any valve, pipe, wire, telephone box, apparatus, or machinery, or any other thing appurtenant to the maintenance, regulation, or management of the subway; or
- Prohibiting the carriage of explosives. 9. Take into the subway or convey or cause to be conveyed by any tramcar any loaded firearm or any explosive, within the meaning of the Explosives Act, 1875, or any petroleum to which the Petroleum Act, 1871, applies, or any corrosive acid or other substance whether similar to those above-mentioned or not which may cause injury or

*See p. 365 for regulations for working the trams.

fire or explosion in the subway or prejudicially affect the use of the subway or tramway or cause or be likely to cause any damage to any person in or using the subway. Provided that this Bye-law shall not apply to safety cartridges, safety fuses for blasting, railway fog signals, or percussion caps.

Note.—By section 31 of the London County Council (Tramways and Improvements) Act, 1906, a penalty not exceeding twenty pounds is provided for a breach of this Bye-law.

10. No person shall wilfully obstruct or impede any servant of the Council in the execution of his duty in or about the subway.

Obstructing
Council's
servant.
Penalty.

11. Any person committing a breach of these Bye-laws (except Bye-law No. 9 as to which a penalty is provided by statute as above-mentioned) shall be liable to a penalty of forty shillings, and for every continuing offence to a further penalty of twenty shillings for each day on which such offence shall continue after written notice of the offence from the Council.

12. These Bye-laws are in addition to the Bye-laws and Regulations applying to the tramways of the London County Council, provided that no person shall be punished both under these Bye-laws and under any other such Bye-law and Regulation for the same offence.

THAMES AND OTHER BRIDGES.

Made under the provisions of the Metropolitan Board of Works (Various Powers) Act, 1882, the Local Government Act, 1888, and the London County Council (General Powers) Act, 1892, for the management and regulation of the bridges vested wholly in the Council.

(Dated 26th November, 1907.)

1. "The Council" means the London County Council and "bridge" means any bridge wholly vested in the Council.

Definitions.

4. No person shall attach any rope or chain or moor any vessel or boat to any bridge or to any work connected therewith.

Attaching
ropes, &c.

6. No person shall bring or cause to be brought upon any bridge a load of greater weight than that specified in the schedule hereto. Provided that where the Council in any case deems it expedient for the safety of any bridge that the weight specified in such schedule should be varied, the Council may cause a notice to be set up or posted in a conspicuous place at each end of the bridge varying such weight, and for the purpose of these Bye-laws such varied weight shall, so long as such notice is continued on the bridge, apply in substitution for the weight specified in such schedule.

Restricting
weights on
bridge.

7. The Council may, where it deems it expedient for the safety of any bridge, or during alteration, reconstruction, or repair of any bridge, or upon any public occasion likely to cause or causing overcrowding by the traffic on or over any bridge, cause a notice to be set up or posted in a conspicuous place at each end of the bridge stopping wholly or partially the traffic, or limiting the speed of vehicles on or over the bridge, and no person shall pass over, or be in or upon the bridge, or drive any vehicle over the bridge in contravention of such notice.

Regulating
traffic on
bridge.

Penalty.

8. Forty shillings, and for every continuing offence a further penalty of twenty shillings for each day on which such offence shall continue after written notice of the offence from the Council.

Note.—Under section 229 of the Metropolis Management Act, 1855, incorporated with section 41 of the Metropolitan Board of Works (Various Powers) Act, 1882, power is given to any officer or servant of the Council or to any police constable and all persons called by him to his assistance to seize and detain any person who has committed an offence against these Bye-laws and whose name and address shall be unknown to such officer or servant or police constable and to convey him with all convenient despatch before some justice; and such justice shall proceed with all convenient despatch to the hearing and determining of the complaint against such offender.

Schedule.

Schedule giving maximum loads on bridges. This Schedule is incorporated in the list given in Chapter V, post, p. 142.

Note.—Bye-laws were made on 21st November, 1884, respecting the embankments under the control of the Council. They are, in effect, similar to the above but no regulations have been made under Bye-law No. 6.

WOOLWICH FREE FERRY.

(Approved by the Board of Trade on 24th October, 1904.)

Bye-laws made by the London County Council under the provisions of sections 23 and 57 of the Metropolitan Board of Works (Various Powers) Act, 1885, sections 202, 203 of the Act 18 and 19 Vict. c. 120, and Section 40 (8) of the Local Government Act, 1888.

1. The following acts and things mentioned in Articles (a) to (l) are hereby prohibited, and every person is hereby declared to be guilty of an offence against these Bye-laws who—

Smoking.

(a) smokes tobacco in any of the cabins or waiting rooms of the ferry; or upon any part of any ferry boat where smoking is by notice exhibited thereon prohibited; or who

Disorderly conduct.

(b) is drunk or guilty of any riotous, disorderly, or indecent conduct, or uses any abusive or indecent language, or begs or asks for alms on the ferry premises, or on board any ferry boat; or who

Musical instruments.

(c) sounds or plays on any instrument, or sings or dances on the ferry premises, or on board any ferry boat; or who

Obstruction.

(d) wilfully obstructs or impedes the passage to or from the cabin of any ferry boat by standing on the stairs leading to the cabin, or at either of the entrances thereof, or otherwise; or who

(e) wilfully obstructs or impedes the passage on the stairs or gangways of the pontoons or through the gateways leading to or from the ferry premises; or who

(f) wilfully obstructs or hinders the superintendent, captains, seamen, or other servants of the Council employed at or about the ferry premises or ferry boats in the execution of their duty; or who

Dogs.

(g) takes any dog on board any boat without such dog being led or secured by a chain or cord; or who

- (h) breaks down, removes, takes up, injures, or jumps or gets over or under any bar, rail, fence, or barrier, or forces or opens any gate fitted or placed on any part of the ferry premises, for the regulation of passenger or goods traffic ; or who Removing barriers.
- (i) gets or attempts to get to or from any ferry boat by any other way than the gangway provided for the purpose of embarking or landing passengers to or from any such boat ; or who
- (j) being a passenger by any ferry boat, does not leave the same at the end of each trip, when required so to do by the captain or officers of such boat ; or who Refusing to leave boat, &c.
- (k) refuses to leave the ferry premises when requested so to do, or attempts to enter upon the premises after the same has been closed ; or who
- (l) sells or offers for sale any articles on the ferry boats or premises. Selling.

2.—(a) The captain of any ferry boat or any officer on board any such boat may direct any passenger or other person on board such boat to occupy any such part thereof as such captain or officer may think proper ; and any person who refuses or neglects to comply with such direction is hereby declared to be guilty of an offence against these Bye-laws. Power of captain to regulate position of passengers and others.

(b) Where in the opinion of the captain of the ferry boat or the superintendent of the ferry any ferry boat is full, either of them may refuse to take or receive any more passengers, animals, or goods. Any person who being so refused, nevertheless enters the boat, or who having entered notwithstanding such refusal shall refuse to leave the boat on being requested so to do by the captain or superintendent, is hereby declared to be guilty in either case of an offence against these Bye-laws.

3.—(a) No loaded vehicle shall be permitted to cross the ferry whose gross weight, including the weight of the load, shall exceed 4 tons to each wheel. Any person making any statement wilfully false as to the said weight is hereby declared to be guilty of an offence against these Bye-laws. Conveyance of vehicles.

(b) The captain or officers may require any person or persons in charge of a carriage, cart, waggon, or any other vehicle of whatsoever kind or description, to comply with any direction that may be given to him or them for regulating the position of such carriage, cart, &c., on board the ferry boat ; and any person who refuses or neglects to comply with such direction is hereby declared to be guilty of an offence against these Bye-laws.

4. The captain or officers of any ferry boat may require any person bringing any goods, luggage, matter, or thing on board such boat to place the same in such part thereof as he may direct ; and any person who neglects to or refuses to place any goods, luggage, matter, or thing, as required by the captain or officers, is hereby declared to be guilty of an offence against these Bye-laws. Regulating the conveyance of goods on boats.

5. The driver of any stage coach, omnibus, tramcar, hackney carriage, or other carriage entering or being on any of the approaches to or lands used in connection with the ferry, shall set down and take up passengers at such part or parts thereof as may be directed by the ferry superintendent, or any police constable on duty at the ferry, and if he shall disobey such direction he shall be guilty of an offence against these Bye-laws. Setting down and taking up on Ferry premises.

Carriages
standing, &c.

6. No stage coach, omnibus, hackney carriage, or other carriage shall enter or remain in or upon any of the said approaches or lands for the purpose of standing or plying for passengers or for hire except on such part or parts of the same as may be from time to time appropriated by the Council for the purpose, and any person who shall cause the same so to enter or remain shall be guilty of an offence against these Bye-laws.

Dangerous
goods.

7.—(a) The Council hereby declares that in its opinion the following goods, namely, gunpowder and all other explosives within the meaning of the Explosives Act, 1875, are injurious, and may prejudicially affect the use of the ferry boats and the traffic to be carried therein within the meaning of section 23 of the Metropolitan Board of Works (Various Powers) Act, 1885, and hereby prohibits the embarkation of the same except on such boat or boats, and at such time or times when the public are not allowed to embark as may be appointed for that purpose by the Council; and any person who, except as aforesaid, embarks on the ferry boats, or sends or conveys by the ferry any such goods is hereby declared to be guilty of an offence against these Bye-laws. Provided that this Bye-law shall not apply to safety cartridges, safety fuses for blasting, railway fog signals, or percussion caps, being explosives belonging to Class VI, Division 1, as defined in an Order in Council under the Explosives Act, 1875. (Penalty twenty pounds.)

(b) The Council hereby declares that in its opinion the following goods, namely, naphtha or other mineral spirit, bisulphide of carbon, sulphuric, nitric, muriatic, or other corrosive acid, turpentine, methylated spirit, lucifer matches, picric acid, and any other substance whether similar to those above-mentioned or not, specially liable to cause injury or sudden fire or explosion are injurious, and may prejudicially affect the use of the ferry boats and the traffic to be carried therein within the meaning of section 23 of the Metropolitan Board of Works (Various Powers) Act, 1885, and hereby prohibits the embarkation of the same unless marked or unless notice be given as hereinafter mentioned; and any person who embarks on the ferry boats, or sends or conveys by the ferry, any such goods without distinctly marking their nature on the outside of the package containing the same, or otherwise giving notice in writing to the superintendent, or other servant of the Council on duty at the ferry, at the time of sending, is hereby declared to be guilty of an offence against these Bye-laws. (Penalty twenty pounds.)

Section 7 of the London County Council (General Powers) Act, 1894, provides that:—

Arrest of
offenders.

Any constable or any officer of the Council authorized in writing to enforce Bye-laws of the Council relating to ferries, and any person called to the assistance of such constable or officer may, without other warrant than this Act, seize and detain any person committing or having committed any offence against any such Bye-law whose name or residence is unknown to, and cannot be ascertained by such constable or officer, and take him to a police station, or before a justice, to be dealt with according to law.

Provided that any officer of the Council, acting under this part of this Act, and not being in uniform, shall have with him a written authority from the Council to act, and shall produce the same if required.

COUNTY OF ESSEX.

(Sealed 1st April, 1902.)

No person on any public coach or other public vehicle for the conveyance of passengers, or on any coach, brake, waggonette, or other vehicle hired or used for the conveyance of pleasure parties and the like, shall blow any horn, or use any other noisy instrument, or make, or combine with any other person or persons to make, any loud singing or outcry while passing through any town, village, or hamlet, to the annoyance or interruption of residents.

Blowing of horns, &c.

Nothing in this Bye-law shall prevent the use of a coach horn in a reasonable manner by one person on a coach or similar vehicle.

(Dated 6th April, 1909.)

2. Every person who shall cause or permit any pantechnicon van to be in any street, highway, or road to which the public have access, during the period between one hour after sunset and one hour before sunrise, shall, in addition to any other light required by law, provide such van with a lamp or lamps, in a proper working order and so constructed and capable of being so attached as when lighted to display to the rear a red light visible for a reasonable distance.

Lights on pantechnicons.

3. Every person driving or being in charge of any van as aforesaid in any street, highway, or road to which the public have access during such period as aforesaid, shall keep such lamp or lamps properly trimmed, lighted, and attached.

4. Penalty : First conviction, forty shillings ; second or subsequent conviction, five pounds.

Penalty.

Provided that if a person driving or being in charge of a van is charged with an offence under these Bye-laws, he shall not be convicted thereof if he proves to the satisfaction of the Court that such offence arose through the neglect or default of some other person whose duty it was to provide the vehicle with a lamp or lamps.

These Bye-laws shall (except where otherwise specially provided) extend and apply to all parts of the Administrative County of Essex, with the exception of any Municipal Borough.

Extent of Bye-laws.

COUNTY OF HERTFORDSHIRE.

(Dated 15th July, 1895.)

“ Council ” means the County Council for the Administrative County of Hertford.

Interpretation of terms.

“ Carriage,” “ cart,” and “ vehicle ” shall not include bicycles, tricycles, velocipedes, and other similar machines.

“ Street ” means and includes any highway (whether the same be a thoroughfare or not) in any town, village, or hamlet, and any public bridge, road, lane, footway, square, court, alley, or passage, in any town, village, or hamlet, whether the same is a thoroughfare or not.

“ Public place ” includes any public common, park, pleasure ground, and roadside waste, any navigable river, and any land or water to which the general public have for the time being a right of access.

Words in the masculine gender shall include the feminine ; and words in the singular shall include the plural, and words in the plural shall include the singular.

Every person who commits any of the following offences shall be liable to a penalty—

Racing.

4. Who shall race, whether on foot or horseback, or with or in or on any carriage or other vehicle, or shall furiously drive or ride any animal, carriage, or vehicle, on any highway or street, to the injury, annoyance, or personal danger of any person or persons travelling thereon.

Offensive or dangerous games.

5. Who shall, in any highway, street, or public place, play tipcat, or any other offensive or dangerous game, or shall make or use any slide, likely to and so as to be likely to cause injury or annoyance to persons or animals, or injury to property.

Obstruction by vehicles.

11.—(a) Who, to the obstruction, annoyance, or danger of the passengers or public, causes any public carriage, cart, waggon, sledge, truck, or barrow, with or without horses, or any beast of burden, to stand in or on any highway, street, or public place, longer than is necessary for loading or unloading goods, or for taking up or setting down passengers (except hackney carriages and horses and other beasts of draught or burden standing for hire in any place appointed for that purpose by lawful authority), or wilfully by means of any carriage, cart, waggon, sledge, perambulator, truck, or barrow, or any animal or other means, interrupts any public crossing, or wilfully causes any obstruction in any public footpath, street, or other public thoroughfare, provided that this provision shall apply only in towns, villages, or hamlets, or within 100 yards thereof.

Carriage of timber, &c.

(c) Who causes any tree or timber or iron beam to be drawn in or along any highway, street, or public place, in, upon, or under any carriage or vehicle without having sufficient means of safely guiding the same.

(Dated 22nd January, 1900.)

Bulls.

1. No person shall permit or suffer any bull of the age of one year and upwards to be upon, or to be led, or driven in or along any highway or public place, or lead or drive any such bull in or along any highway or public place, unless such bull shall be controlled by means of a strong pole or staff, at least 5 feet in length, which is securely and directly attached to a strong ring safely and properly fixed through the bull's nose, and which is held by a competent person.

2. Any person holding, or employed to hold the pole or staff mentioned in Bye-law No. 1, who shall without any sufficient reason or excuse let go or not keep hold of such pole or staff shall incur a penalty.

4. In these Bye-laws the following expressions shall have the meanings hereinafter respectively assigned to them, unless such meanings be repugnant to, or inconsistent with, the context or subject-matter

in or with reference to which such words or expressions occur, that is to say :—

“ Highway ” includes every highway, whether the same be a thoroughfare or not, and any public bridge, road, lane, footway, street, square, court, alley, or passage, whether the same is a thoroughfare or not.

“ Public place ” includes any public park, pleasure ground, and roadside waste.

Words in the singular shall include the plural, and words in the plural shall include the singular.

5. These Bye-laws shall not apply to any bull which is upon, or is being led or driven in or along any highway or public place in company of cows for the sole purpose of being shifted, and while it is in course of being shifted from one portion of a pastoral or agricultural holding to another portion of the same holding.

(Dated 5th May, 1902.)

If any person on a public coach or other public vehicle for the conveyance of passengers, or in any coach, brake, waggonette, or other vehicle hired or used for the conveyance of pleasure parties and the like, shall blow any horn or use any other noisy instrument, or make or combine with any other person or persons to make any loud singing or outcry while passing through or being in any town, village, or hamlet, to the annoyance or interruption of any resident, such person or persons shall be liable on summary conviction to a penalty not exceeding five pounds for each offence, provided that nothing in this Bye-law shall prevent the use of a coach horn in a reasonable manner by one person on a coach or similar vehicle.

Blowing of
horns, &c.

(Sealed 8th November, 1915.)

1. Every person who shall cause or permit any vehicle to be in any street, highway, or road to which the public have access during the period between one hour after sunset and one hour before sunrise shall besides complying with the requirements of “ The Lights on Vehicles Act, 1907,” (i) provide such vehicle with either (a) a lamp or lamps in proper working order, and so constructed and capable of being so attached as when lighted to show to the rear a red light visible for a reasonable distance ; or (b) a reflector or reflectors at least $1\frac{1}{2}$ inches in diameter, which shall be attached to the rear end of such vehicle and be capable of reflecting a red light from a light carried by a vehicle approaching from behind. If only one lamp or reflector is provided it shall be placed on the off or right side of the vehicle. (ii) If the vehicle is used for the purpose of drawing behind it any other vehicle or load, or for the purpose of carrying any timber or load projecting more than 6 feet to the rear, and does not carry attached to the rear end of such other vehicle, load, or timber a lamp or lamps showing to the rear a red light visible for a reasonable distance, provide a reflector or reflectors at least $1\frac{1}{2}$ inches in diameter which shall be attached to the rear end of such other vehicle, load, or timber, and be capable of reflecting a red light from a light carried by a vehicle approaching

Rear lights
on vehicles.

from behind. If only one lamp or reflector is provided, it shall be placed on the off or right side of the rear end of such other vehicle, load, or timber.

2. Every person driving or being in charge of such vehicle in any street, highway, or road to which the public have access, during the period as aforesaid, shall keep such lamp or lamps properly attached as aforesaid, and properly trimmed and lighted, or such reflector or reflectors properly attached as aforesaid and in such condition as to reflect a red light.

Exemption
for the pur-
pose of
harvesting.

3. All vehicles carrying in the course of harvesting operations any farm produce to stack or barn during the months of July, August, and September in each year which are exempted from the operation of "The Lights on Vehicles Act, 1907," by "The Hertfordshire Lights on Vehicles Exemption Order, 1908," shall be exempt from the operation of these Bye-laws.

Definition.

4. The expression "Vehicle" in these Bye-laws shall mean and include every vehicle, machine, or implement to which "The Lights on Vehicles Act, 1907," applies.

Penalty.

Forty shillings, second or subsequent conviction five pounds.

Provided that if a person driving or being in charge of a vehicle is charged with an offence against these Bye-laws he shall not be convicted thereof if he proves to the satisfaction of the Court that such offence arose through the neglect or default of some other person whose duty it was to provide the vehicle with a lamp or lamps or reflector or reflectors.

Extent of
Bye-laws.

These Bye-laws (except where it is expressly stated to the contrary) shall apply to and be in force within the whole of the Administrative County of Hertford, except within any municipal borough therein for the time being subject to the Municipal Corporation Act, 1882.

Orders under
Lights on
Vehicles Act.

The following Order has been made by the Hertfordshire County Council, exempting certain vehicles for the periods named from the operation of the Lights on Vehicles Act, 1907 (7Edw. 7, c. 45) :—

"All vehicles carrying in the course of harvesting operations any farm produce to stack or barn during the months of July, August, and September."

COUNTY OF KENT.

(Sealed 15th May, 1912.)

Rear lights
on vehicles.

Every person who shall cause or permit any vehicle to be in any street, highway or road to which the public have access, during the period between one hour after sunset and one hour before sunrise, besides complying with the requirements of the Lights on Vehicles Act, 1907, shall provide such vehicle either (a) with a lamp (or lamps)

in proper working order, and so constructed and capable of being so attached as when lighted to show to the rear a red light visible for a reasonable distance; or (b) with a reflector (or reflectors) at least $1\frac{1}{2}$ inches wide, so constructed and capable of being so attached to such vehicle as to reflect a red light from a light carried by a vehicle approaching from behind.

If only one lamp or reflector is provided, it shall be placed on the off or right side of the vehicle, or if such vehicle is used for the purpose of drawing behind it any other vehicle or load, on the off or right side of such other vehicle or load.

Every person driving or being in charge of such vehicle in any street, highway, or road to which the public have access during the period as aforesaid, shall keep such lamp or lamps properly attached and properly trimmed and lighted, or such reflector or reflectors properly attached and in such condition as to reflect a red light.

The expression "Vehicle" in this Bye-law shall mean every vehicle, machine, or implement to which the Lights on Vehicles Act, 1907, applies. Definition.

(Dated 3rd August, 1921.)

If any person on any public coach or other public carriage for the conveyance of passengers or on any coach, brake, waggonette, or any other vehicle hired or used for the conveyance of pleasure parties and the like (a) shall blow any horn or use any other noisy instrument or make or combine with any other person or persons to make any loud singing or outcry while passing through any town, village, or hamlet to the annoyance or interruption of residents, or (b) shall, while passing through any town, village, or hamlet throw any money to be scrambled for by children or other persons on the road or footway, such person shall be liable on summary conviction to a penalty not exceeding five pounds for each offence; and the conductor (if any) employed on the vehicle, and the person who had engaged or obtained the use of the vehicle on the occasion on which the offence was committed shall also be liable to the like penalty unless he proves that he took no part in and was unable to prevent the offence, and that he had given all the information in his power as to the person or persons by whom the offence was committed.

Blowing of
horns, &c.

Nothing in this Bye-law shall prevent the use of a horn in a reasonable manner by one person on a coach or similar vehicle.

Note.—The above Bye-law is operative in such parts of the Kent County Council as are not within any Municipal Borough.

The Bye-laws dated 15th May, 1901, with respect to the blowing of horns, &c., and 10th August, 1910, relating to obscene language extend and apply to all parts of the Administrative County of Kent, except such as are within any Municipal Borough; the Bye-laws dated 21st May, 1919, apply to the area of the Urban Districts of Beckenham, Bexley, Broadstairs, and St. Peters, Cheriton, Chislehurst, Dartford, Erith, Fooks Cray, Herne Bay, Northfleet, Penge, Sandgate, Sevenoaks, Sheerness, Sittingbourne, Southborough, Tonbridge, Whitstable and Walmer, the Rural Districts of Dartford,

Faversham, Hoo, Malling, and Milton, and the Parishes of Birchington, Minster, and Westgate-on-Sea in the Isle of Thanet Rural District, in the Administrative County of Kent.

COUNTY OF MIDDLESEX.

(Dated 27th February, 1902.)

Blowing of
horns, &c.

If any person, on any public coach or other public vehicle for the conveyance of passengers, or on any coach, brake, waggonette, or other vehicle hired or used for the conveyance of pleasure parties and the like, shall blow any horn, or use any other noisy instrument, or make, or combine with any other person or persons to make, any loud singing or outcry while passing through any town, village, or hamlet, to the annoyance or interruption of residents, such person or persons shall be liable, on summary conviction, to a penalty not exceeding five pounds for each offence. Nothing in this Bye-law shall prevent the use of a horn in a reasonable manner by one person on a coach or similar vehicle.

(Dated 30th March, 1904.)

Hooded
vans.

No owner of a vehicle shall drive such vehicle or permit the same to be driven or to be upon any highway unless it be so constructed that the driver thereof shall have a full and uninterrupted view of the traffic on such highway in front and abreast of him on each side, and no person who shall be driving any vehicle upon any highway shall occupy such a position as will prevent or interfere with his having such full and uninterrupted view as aforesaid.

(Dated 22nd July, 1909.)

Lights on
vehicles.

Every person who shall cause or permit any vehicle to be in any street, highway, or road, to which the public have access, during the period between one hour after sunset and one hour before sunrise, shall provide such vehicle with a lamp or lamps in proper working order, and so constructed and capable of being so attached as when lighted to display to the rear a red light visible for a reasonable distance.

Every person driving or being in charge of any vehicle in any street, highway, or road, to which the public have access, during such period as aforesaid, shall keep such lamp or lamps properly trimmed, lighted, and attached.

Extent of
Bye-laws.

The above Bye-laws shall extend and apply to all parts of the Administrative County of Middlesex except such parts as are within any Municipal Borough.

COUNTY OF SURREY.

(Dated 12th February, 1895.)

Interpreta-
tion of
terms.

1. "Council" means the County Council for the Administrative County of Surrey.

"Street" means and includes any highway, any public bridge, and any road, lane, footway, square, court, alley, or passage, whether a thoroughfare or not.

“Public place” includes any common, public park, or pleasure ground, roadside waste, churchyard or chapel-yard, and any land to which the public have access, whether by payment of money or not.

(Dated 30th July, 1901.)

17. If any person on any public coach or other public vehicle for the conveyance of passengers, or on any coach, brake, waggonette, or other vehicle hired or used for the conveyance of pleasure parties and the like, shall blow any horn, or use any other noisy instrument, or make, or combine with any other person or persons to make, any loud singing or outcry while passing through any town, village, or hamlet, to the annoyance or interruption of residents, such person or persons shall be liable on summary conviction to a penalty not exceeding five pounds for each offence.

Blowing of
horns, &c.

Nothing in this Bye-law shall prevent the use of a horn in a reasonable manner by one person on a coach or similar vehicle.

(Dated 14th November, 1905.)

19. No owner of a vehicle shall drive such vehicle, or permit the same to be driven, or to be upon any highway, unless it be so constructed that the driver thereof shall have a full and uninterrupted view of the traffic on such highway in front and abreast of him on each side, and no person who shall be driving any vehicle upon any highway shall occupy such a position as will prevent or interfere with his having such full and uninterrupted view as aforesaid.

Hooded
vans.

(Sealed 14th January, 1913.)

1. Every person who shall cause or permit any vehicle to be in any street, highway, or road to which the public have access, during the period between one hour after sunset and one hour before sunrise, shall provide the same either (a) with a lamp or lamps in proper working order, and so constructed and capable of being so attached as when lighted to display to the rear a red light visible for a reasonable distance, or (b) with a reflector at least $1\frac{1}{2}$ inches wide, so constructed and capable of being so attached to such vehicle as to reflect a red light from a light carried by a vehicle approaching from behind.

Rear lights
on vehicles.

Every person driving or being in charge of any vehicle in any street, highway, or road, to which the public have access during such period as aforesaid, shall keep such lamp or lamps properly trimmed, lighted, and attached, or such reflector properly attached and in such condition as to reflect a red light.

2. Penalty forty shillings; second or subsequent conviction, five pounds. Provided that if a person driving or being in charge of a vehicle is charged with an offence under this Bye-law, he shall not be convicted thereof if he proves to the satisfaction of the Court that such

Penalty.

offence arose through the neglect or default of some other person whose duty it was to provide the vehicle with a lamp or lamps or reflector.

3. This Bye-law shall apply to every vehicle, machine, or implement to which the Lights on Vehicles Act, 1907, applies.

Extent of
Bye-laws.

The above Bye-laws shall extend and apply to all parts of the Administrative County of Surrey, except such as are within any Municipal Borough.

COUNTY BOROUGH OF CROYDON.

CROYDON CORPORATION ACT, 1884, 47 & 48 Vict. c. cxli.

53.—(1) [The Corporation may by resolution make regulations . . .

For fixing the standing places of hackney carriages ; for fixing the starting places of stage carriages ; and for fixing the rates of fares as well for time as distance to be paid for hackney carriages :

Provided that such regulations shall take effect within the borough only.]

(2) [Regulations so made to supersede within the borough the general regulations made under the Hackney Carriage Acts (i.e., the Secretary of State's Order, Appendix p. 38, is subject to the local regulations).]

(3) [Standing places, starting places, rates of fares, fixed by Corporation to be deemed to be the like within the meaning of the Public Carriage Acts.]

(4) [Corporation may annex penalty of forty shillings for breaches of regulations.]

(5) [Regulations to be approved by Secretary of State.]

55. [Corporation may make and enforce bye-laws for regulating use of bicycles on highways ; "bicycle" to include velocipede, tricycle and similar mechanical contrivance.]

CROYDON CORPORATION ACT, 1900, 63 & 64 Vict. c. ccxxix.

116. Notwithstanding anything contained in the Highway Act, 1835, or the Town Police Clauses Act, 1847, no person shall act as the driver of or have the care of more than one cart or carriage each drawn by an animal in any street in the borough within one mile from the Town Hall, and no person shall fasten or allow to be fastened to the rear of any such cart or carriage any other cart or carriage drawn by an animal or any animal drawing a cart or carriage and not having a separate driver.

[Penalty twenty shillings for each offence.]

(Dated 11th January, 1886.)

Driving
cattle, &c.

No person shall, unless on Thursday, drive any cattle, sheep, lambs, or swine through any street, road, lane, or other thoroughfare in the Borough, except between the hours of 4 and 10 a.m. and 5 and 10 p.m. during the months of March, April, May, June, July, August, and September, and except between the hours of 4 and 10 a.m. and 4 and 10 p.m. during the months of October, November, December, January, and February.

(Sealed 1st October, 1901.)

Blowing of
horns, &c.

If any person on any public coach or other public vehicle for the conveyance of passengers, or on any coach, brake, waggonette, or other vehicle hired or used for the conveyance of pleasure parties and the like, shall blow any horn, or use any other noisy instrument, or make, or combine with any other person or persons to make, any loud singing or outcry while passing through the County Borough

of Croydon, to the annoyance or interruption of residents, such person or persons shall be liable on summary conviction to a penalty not exceeding two pounds for each offence.

Nothing in this Bye-law shall prevent the use of a horn in a reasonable manner by one person on a coach or similar vehicle.

(Sealed 27th June, 1906.)

No person shall place or suspend any flag containing any advertisement relating to any trade or business, in, over, or across any street to the annoyance of residents or passengers or to the alarm of horses.

Flags across streets.

Penalty five pounds.

Penalty.

METROPOLITAN BOROUGH.

CAMBERWELL.

(Sealed 17th July, 1912.)

3. No person shall, between the hours of 10 o'clock at night and 8 o'clock in the morning of any week day or at any time on Sunday, on any public coach or other public vehicle for the conveyance of passengers, or on any coach, brake, or waggonette, or other vehicle hired or used for the conveyance of pleasure parties and the like, blow any horn or use any other noisy instrument, or make or combine with any other person or persons to make any loud singing or outcry while passing through any street or public thoroughfare in the Metropolitan Borough of Camberwell to the annoyance or interruption of residents, providing that nothing in this Bye-law shall prevent the use of a horn in a reasonable manner by one person on a coach or similar vehicle.

Blowing horns, &c.

4. No person shall in any street or public place, to the inconvenience or danger of any other person, carry or convey along any footpath any pointed or edged tools or implements not properly protected.

Dangerous articles, &c.

5. No person shall deface by writing or other marks any foot pavement in any street within the Borough.

Defacing pavements.

7. No person shall place or suspend any flag containing any advertisement relating to any trade or business in, over or across any street to the annoyance of residents or passengers or to the alarm of horses.

Flags.

8. No person shall rink or skate on any footway to the danger of passengers.

Roller skating.

CHELSEA.

(Sealed 22nd December, 1915.)

No person shall on any public footway within the Borough, rink, or skate on rollers, wheels, or other mechanical contrivances to the danger of other persons lawfully using the said footway.

Roller skating.

DEPTFORD.

If at any time between the hours of 10 o'clock at night and 8 o'clock in the morning of any weekday or at any time on Sunday any person on any public coach or other public vehicle for the conveyance of passengers, or any coach, brake, or waggonette, or other vehicle,

Noises by excursionists, &c.

hired or used for the conveyance of pleasure parties, and the like, shall blow any horn or use any other noisy instrument, or make, or combine with any other person or persons to make any loud singing or outcry while passing through any street or thoroughfare in the Borough of Deptford to the annoyance or interruption of residents, such person or persons shall be liable on conviction to the penalty hereinafter provided. Nothing in this Bye-law shall prevent the use of a horn in a reasonable manner by one person on a coach or similar vehicle.

HACKNEY.

(Sealed 23rd January, 1913.)

Blowing
horns, &c.

If at any time between the hours of 10 o'clock at night and 8 o'clock in the morning of any day, any person on any public coach or other public vehicle for the conveyance of passengers, or on any coach, brake, or waggonette, or other vehicle hired or used for the conveyance of pleasure parties and the like, shall blow any horn or use any other noisy instrument, or make or combine with any other person or persons to make any loud singing or outcry while passing through any street or public thoroughfare in the Metropolitan Borough of Hackney to the annoyance or interruption of residents, such person or persons shall be liable on summary conviction to a penalty.

HAMMERSMITH.

(Sealed 25th September, 1912.)

Roller
skating.

No person shall rink or skate on any footway to the danger of passengers.

LAMBETH.

(Dated 4th May, 1911.)

Roller
skating.

No person shall, on any footway of any of the main streets or other principal thoroughfares in the Borough, rink or skate on rollers, wheels, or other mechanical contrivances.

LEWISHAM.

(Dated 16th March, 1904.)

Blowing of
horns, &c.

If at any time between the hours of 10 o'clock at night and 8 o'clock in the morning of any weekday or at any time on Sunday, any person on any public coach, or other public vehicle for the conveyance of passengers, or on any coach, brake, or waggonette, or other vehicle, hired or used for the conveyance of pleasure parties, and the like, shall blow any horn or use any other noisy instrument, or make, or combine with any other person or persons to make any loud singing or outcry while passing through any street or public thoroughfare in the Metropolitan Borough of Lewisham to the annoyance or interruption of residents, such person or persons shall be liable on summary conviction to a penalty not exceeding two pounds for each offence.

(Dated 9th April, 1913.)

Roller
skating.

No person shall on any public footway within the Borough, rink or skate on rollers, wheels, or other mechanical contrivances to the danger of other persons lawfully using the said footway.

PADDINGTON.

(Dated 4th February, 1913.)

No person shall on any public footway within the Borough rink or skate on rollers, wheels, or other mechanical contrivances to the danger of other persons lawfully using the said footway. Roller skating.

SOUTHWARK.

(Sealed 30th September, 1912.)

No person shall on any public footway within the Borough rink or skate on rollers, wheels, or other mechanical contrivances to the danger of other persons lawfully using the said footway. Roller skating.

WESTMINSTER.

(Sealed 27th May, 1913.)

No person shall rink or skate on any footway to the danger of passengers. Roller skating.

WOOLWICH.

(Sealed 21st February, 1912.)

No persons shall rink or skate on rollers, wheels, or other mechanical contrivances on the footway or carriageway of any of the public streets surrounding the Woolwich Polytechnic and the Woolwich Public Library, that is to say, Market Street, Upper Market Street and Lower Market Street, and that portion of William Street between Upper Market Street and Thomas Street, all in the Metropolitan Borough of Woolwich, to the annoyance or interruption of any person using the said Library or Polytechnic. Roller skating near Public Library.

No person shall on any public footway within the Borough rink or skate on rollers, wheels, or other mechanical contrivances to the danger of other persons lawfully using the said footway. Roller skating.

MUNICIPAL BOROUGHES.

BROMLEY.

(Dated 7th June, 1910.)

1. No person on any public coach or other public vehicle for the conveyance of passengers, or on any coach, brake, waggonette, or other vehicle hired or used for the conveyance of pleasure parties and the like, shall blow any horn or use any other noisy instrument, or make or combine with any other person or persons to make any loud singing or outcry while passing through the Borough of Bromley to the annoyance or interruption of residents, provided that nothing in this Bye-law shall prevent the use of a coach horn in a reasonable manner by one person on a coach or similar vehicle. Blowing horns, &c

15. No person shall place or suspend any flag containing any advertisement relating to any trade or business in, over, or across any street to the annoyance of residents or passengers or to the alarm of horses. Flags.

EALING.

(Dated 12th March, 1914.)

Interpretation.

"Street" means and includes any highway, public bridge, road, lane, footway, square, court, alley, or passage, whether a thoroughfare or not.

"Public place" includes any common, public part, or pleasure ground, roadside waste, churchyard or chapel-yard, and any open space to which the public have access for the time being.

"Cattle." The word "Cattle" shall include bull, ox, cow, heifer, calf, sheep, goats, and swine.

Blowing of horns.

3. No person shall on any public coach or other public vehicle for the conveyance of passengers, or on any coach, brake, waggonette, or other vehicle hired or used for the conveyance of pleasure parties and the like, blow any horn, or use any other noisy instrument, or make or combine with any other person or persons to make any loud singing or outcry while passing through any street or public place in the Borough, to the annoyance or interruption of residents. Nothing in this Bye-law shall prevent the use of a horn in a reasonable manner by one person on a coach or similar vehicle.

Advertising.

14. No person shall in any street draw, wheel, or drive any vehicle used solely or chiefly for the purpose of exhibiting advertisements so as to cause obstruction or danger to the traffic in such street.

Flags.

15. No person shall place or suspend any flag containing any advertisement relating to any trade or business in, over, or across any street to the annoyance of residents or passengers, or to the alarm of horses.

Cattle, driving of.

30. No person shall drive or cause to be driven any cattle through any street in the Borough, unless the same shall be sufficiently attended.

Performing bears.

31. No person shall at any time lead, conduct, or drive any bear through or along, or perform with any bear in, any street or public place within the Borough to the danger of any person in such street, or to the alarm of horses.

Perambulators.

32. No person shall, to the annoyance, obstruction, or danger of passengers, (1) wheel, pull, draw, or push any perambulator or other similar vehicle abreast of any similar vehicle on any footway; (2) use a perambulator on any footway for any other purpose than that of carrying children or invalids.

Hooded vans.

33. No owner of a vehicle shall drive such vehicle or permit the same to be driven or to be upon any highway within the Borough unless it be so constructed that the driver thereof shall have a full and uninterrupted view of the traffic on such highway in front and abreast of him on each side, and no person who shall be driving any vehicle upon any highway within the Borough shall occupy such a position as will prevent or interfere with his having such full and uninterrupted view as aforesaid.

Roller skating.

34. No person shall, on any public footway within the Borough, rink or skate on rollers, wheels, or other mechanical contrivances to the danger of passengers.

Penalty.

Penalty five pounds.

Rear lights on vehicles.

Interpretation.—In this Bye-law the expression "Vehicle" means every vehicle, machine, or implement to which the Lights on Vehicles Act, 1907, applies.

35. Every person who shall cause or permit any vehicle to be in any street, highway, or road, to which the public have access, during the period between one hour after sunset and one hour before sunrise, shall provide such vehicle with a lamp or lamps in proper working order, and so constructed and capable of being so attached as when lighted to display to the rear a red light visible for a reasonable distance.

Every person driving or being in charge of any vehicle in any street, highway, or road, to which the public have access, during such period as aforesaid, shall keep such lamp or lamps properly trimmed, lighted, and attached.

Penalty forty shillings, second or subsequent conviction five pounds.

Provided that if a person driving or being in charge of a vehicle is charged with an offence under this Bye-law, he shall not be convicted thereof if he proves to the satisfaction of the Court that such offence arose through neglect or default of some other person whose duty it was to provide the vehicle with a lamp or lamps.

EAST HAM.

(Dated 27th May, 1907.)

These Bye-laws extend and apply to all parts of the Borough of East Ham.

Extent of
Bye-laws.

11.—(a) No person on any public coach or other public vehicle for the conveyance of passengers, or of any coach, brake, waggonette, or other vehicle hired or used for the conveyance of pleasure parties and the like, shall blow any horn, or use any other noisy instrument, or make, or combine with any other person or persons to make, any loud singing or outcry while passing through the Borough to the annoyance or interruption of residents.

Blowing of
horns, &c.

(b) Nothing in this Bye-law shall prevent the use of a coach horn in a reasonable manner by one person on a coach or similar vehicle.

15. No person shall place or suspend any flag containing any advertisement relating to any trade or business in, over, or across any street to the annoyance of residents or passengers or to the alarm of horses.

Flags.

Every person who shall offend against any of the foregoing Bye-laws shall be liable for every such offence to a penalty not exceeding five pounds.

Penalty.

HORNSEY.

(Dated 9th May, 1904.)

The expression "The Council" means the Mayor, Aldermen, and Burgesses of the Borough of Hornsey, acting by the Council.

Interpreta-
tion.

"Street" means and includes any highway, public bridge, road, lane, footway, square, court, alley, or passage, whether a thoroughfare or not.

"Public place" includes any common, public park, or pleasure ground, roadside waste, churchyard or chapel-yard, and any open space to which the public have access for the time being.

"Cattle." The word "Cattle" includes bull, ox, cow, heifer, calf, sheep, goat, and swine.

3. If any person on any public coach or other public vehicle for the conveyance of passengers, or on any coach, brake, waggonette,

Blowing
horns, &c.

or other vehicle hired or used for the conveyance of pleasure parties and the like, shall blow any horn, or use any other noisy instrument, or make or combine with any other person or persons to make any loud singing or outcry while passing through the Borough to the annoyance or interruption of residents, such person or persons shall be liable on summary conviction to the penalty provided. Nothing in this Bye-law shall prevent the use of a horn in a reasonable manner by one person on a coach or similar vehicle.

- Flags. 18. No person shall place or suspend any flag containing any advertisement relating to any trade or business in, over, or across any street to the annoyance of residents or passengers or to the alarm of horses.
- Bulls. 29. No person shall drive or lead, or cause to be driven or led in any street or public place any bull exceeding the age of twelve months, unless it be properly secured and kept under proper control ; or, being the occupier of any field or enclosure through which there is a public path permit any such bull to be at large in such field or enclosure.
- Performing bears. 31. No person shall at any time, lead, conduct, or drive any bear through or along, or perform with any bear in any street or public place within the Borough to the danger of any person in such street, or to the alarm of horses.
- Driving cattle. 32. No person shall drive or cause to be driven, any cattle through any street in the Borough, unless the same shall be sufficiently attended.
- Hooded vans. 34. No owner of a vehicle shall drive such vehicle, or permit the same to be driven, or to be upon any highway unless it be so constructed that the driver thereof shall have a full and uninterrupted view of the traffic on such highway in front and abreast of him on each side, and no person who shall be driving any vehicle upon any highway shall occupy such a position as will prevent or interfere with his having such full and uninterrupted view as aforesaid.
- Penalty. 35. Penalty five pounds.

(Dated 13th December, 1909.)

- Lights on vehicles. Every person who shall cause or permit any vehicle to be in any street, highway, or road, to which the public have access, during the period between one hour after sunset and one hour before sunrise, shall provide such vehicle with a lamp or lamps, in proper working order, and so constructed and capable of being so attached as when lighted to display to the rear a red light visible for a reasonable distance.
- Every person driving or being in charge of any vehicle in any street, highway, or road, to which the public have access, during such period as aforesaid, shall keep such lamp or lamps properly trimmed, lighted, and attached.
- Penalty. Penalty forty shillings, second or subsequent conviction five pounds.

KINGSTON-UPON-THAMES.

(Sealed 1st May, 1913.)

- Rear lights on vehicles. 1. Every person who shall cause or permit any vehicle to be in any street, highway, or road, to which the public have access, during the period between one hour after sunset and one hour before sunrise, shall provide the same either (a) with a lamp or lamps in proper working order, and so constructed and capable of being so attached as when lighted to display to the rear a red light visible for a reasonable

distance, or (b) with a reflector at least $1\frac{1}{2}$ inches wide, so constructed and capable of being so attached to such vehicle as to reflect a red light from a light carried by a vehicle approaching from behind.

Every person driving or being in charge of any vehicle in any street, highway, or road, to which the public have access, during such period as aforesaid, shall keep such lamp or lamps properly trimmed, lighted, and attached, or such reflector properly attached and in such condition as to reflect a red light.

2. Penalty forty shillings, second or subsequent conviction five pounds. Provided that if a person driving or being in charge of a vehicle is charged with an offence under this Bye-law, he shall not be convicted thereof if he proves to the satisfaction of the Court that such offence arose through the neglect or default of some other person whose duty it was to provide the vehicle with a lamp or lamps or reflector. Penalty.

3. This Bye-law shall apply to every vehicle, machine, or implement, to which the Lights on Vehicles Act, 1907, applies.

(Dated 21st December, 1920.)

27. No person shall place or suspend any flag containing any advertisement relating to any trade or business in, over, or across any street to the annoyance of residents or passengers or to the alarm of horses. Flags.

29. No owner of a vehicle shall drive such vehicle, or permit the same to be driven, or to be upon any highway, unless it be so constructed that the driver thereof shall have a full and uninterrupted view of the traffic on such highway in front and abreast of him on each side, and no person who shall be driving any vehicle upon any highway shall occupy such a position as will prevent or interfere with his having such full and uninterrupted view as aforesaid. This Bye-law shall come into operation on the 8th day of August, 1921. Hooded vans.

30. No person shall drive or lead, or cause to be driven or led, in any street or public place, any bull exceeding the age of twelve months, unless it be properly secured and kept under proper control. Bulls.

31. The Bye-laws made by the Council on the 18th June, 1895, are repealed as from the date on which the above Bye-laws come into force. Repeal of Bye-laws.

Any person summarily convicted of offending against any of the foregoing Bye-laws shall be liable to a penalty not exceeding five pounds. Penalties.

RICHMOND.

(Dated 10th June, 1896.)

15. No person shall suspend over any street any signboard, flag, or banner for the purpose of advertisement which shall be more than 3 feet 6 inches in length or 2 feet 6 inches in breadth. Flags, &c.

16. No person shall drive or conduct any cattle through or along any street between the hours of 10 in the morning and 5 in the evening, provided nevertheless that nothing in this Bye-law contained shall interfere with the driving to their destination of any cattle which have arrived at any railway station within the Borough during the before-mentioned hours. Cattle, driving of.

Loading and
unloading of
coal, &c.

17. Between the hours of 10 o'clock in the morning and 6 in the evening, no coal shall, to the annoyance or obstruction of residents or passengers, be loaded or unloaded on or across any footway in George Street, Kew Road, between George Street and Evelyn Road, Sheen Road from George Street to Church Road, Hill Street as far as the Vineyard, King Street or Duke Street; and between the same hours and within the same limits, no casks, whether empty or full, shall be lowered or drawn up by means of ropes, chains, or other machinery passing across any such footway.

19. "Street" means and includes any highway, any public bridge and any road, lane, footway, square, court, alley or passage whether a thoroughfare or not.

"Public place" includes any common, public park, or pleasure ground, roadside waste, churchyard, or chapel-yard, and any land or other open space to which the public have access, whether by payment of money or not.

"Person" includes the masculine and feminine gender, and words importing the singular number only, shall extend and be applied to several persons as well as to one person.

"Cattle." The word "Cattle" shall include bull, ox, cow, heifer, calf, sheep, goats, and swine.

(Dated 14th October, 1902.)

Blowing of
horns, &c.

3. No person shall on or in any public coach or other public vehicle for the conveyance of passengers, or on or in any coach, brake, waggonette, car, or other vehicle hired or used for the conveyance of pleasure parties, blow any horn, or use any other noisy instrument, or make or combine with any other person or persons to make any loud singing or outcry while in or passing along any street within the Borough to the annoyance or interruption of residents:—

Provided that nothing in this Bye-law shall prevent the use of a horn in a reasonable manner by one person on a coach or similar vehicle.

(Sealed 11th March, 1913.)

Rear lights
on vehicles.

Every person who shall cause or permit any vehicle to be in any street, highway, or road to which the public have access, during the period between one hour after sunset and one hour before sunrise, besides complying with the requirements of the Lights on Vehicles Act, 1907, shall provide the same either (a) with a lamp or lamps in proper working order, and so constructed and capable of being so attached as when lighted to display to the rear a red light visible for a reasonable distance, or (b) with a reflector at least 1½ inches wide, so constructed and capable of being so attached to such vehicle as to reflect a red light from a light carried by a vehicle approaching from behind.

Every person driving or being in charge of any vehicle in any street, highway, or road to which the public have access during such period as aforesaid, shall keep such lamp or lamps properly trimmed, lighted, and attached, or such reflector properly attached and in such condition as to reflect a red light.

Penalty.

Penalty, forty shillings; second or subsequent conviction, five pounds. Provided that if a person driving or being in charge of a vehicle is charged with an offence under this Bye-law, he shall not be convicted thereof if he proves to the satisfaction of the Court that such offence

arose through the neglect or default of some other person whose duty it was to provide the vehicle with a lamp or lamps or reflector.

This Bye-law shall apply to every vehicle, machine, or implement to which the Lights on Vehicles Act, 1907, applies.

WIMBLEDON.

(Dated 5th May, 1909.)

1. Throughout these Bye-laws, the following words or expressions shall have the meanings hereinafter respectively assigned to them unless such meanings be repugnant to or inconsistent with the context or subject matter in which such words or expressions occur, viz. :—

Interpretation.

“Council” means the Mayor, Aldermen, and Burgesses of the Borough of Wimbledon, acting by the Council.

“Street” means and includes any highway, public bridge, road, lane, footway, square, court, mews, alley, or passage, whether a thoroughfare or not.

“Public place” means any common, public park, or pleasure ground, roadside waste, church or chapel yard, and any open space to which the public have access for the time being whether by payment of money or not.

5. If any person on any public coach or other public vehicle for the conveyance of passengers, or on any coach, brake, waggonette, or other vehicle hired or used for the conveyance of pleasure parties and the like, shall blow any horn, or use any other noisy instrument or make or combine with any other person or persons to make any loud singing or outcry while passing through the Borough or any part thereof to the annoyance or disturbance of residents, such person or persons shall be guilty of an offence, and shall be liable on conviction to the penalty hereinafter provided. Nothing in this Bye-law shall prevent the use of a horn in a reasonable manner by one person on a coach or similar vehicle.

Noises by excursionists.

16. No person shall in any street draw, wheel, or drive any vehicle used solely or chiefly for the purpose of exhibiting advertisements, so as to cause obstruction or danger to the traffic in such street.

Advertising vehicles.

17. No person shall place or suspend any flag containing any advertisement relating to any trade or business in, over, or across any street to the annoyance of residents or passengers or to the alarm of horses.

Flags.

20. No person shall wilfully or negligently suffer any straw, hay, waste paper, shavings, or other litter from any vehicle or packing case, to be strewn about any street to the annoyance of residents or passengers.

Litter from vehicles, &c.

28. No person shall drive or lead, or cause to be driven or led, in any street or public place, any bull exceeding the age of twelve months, unless it be properly secured and kept under proper control ; or, being the occupier of any field or enclosure through which there is a public path, permit any such bull to be at large in such field or enclosure.

Bulls.

30. No owner of a vehicle shall drive such vehicle, or permit the same to be driven or to be in any street, unless it be so constructed that the driver thereof shall have a full and uninterrupted view of the traffic in and along such street in front and abreast of him on each

Hooded vans.

side, and no person who shall be driving any vehicle in any street shall occupy such a position as will prevent or interfere with his having such full and uninterrupted view as aforesaid.

Penalty. 31. Penalty, five pounds.

(Sealed 17th May, 1913.)

Rear lights
on vehicles.

1. Every person who shall cause or permit any vehicle to be in any street, highway, or road to which the public have access, during the period between one hour after sunset and one hour before sunrise, besides complying with the requirements of the Lights on Vehicles Act, 1907, shall provide the same either (a) with a lamp or lamps in proper working order, and so constructed and capable of being so attached as when lighted to display to the rear a red light visible for a reasonable distance, or (b) with a reflector at least $1\frac{1}{2}$ inches wide, so constructed and capable of being so attached to such vehicle as to reflect a red light from a light carried by a vehicle approaching from behind.

If only one such lamp or reflector is provided, it shall be placed on the off or right side of the vehicle, or if such vehicle is used for the purpose of drawing behind it any other vehicle or load, on the off or right side of such other vehicle or load.

Every person driving or being in charge of any vehicle in any street, highway, or road, to which the public have access during such period as aforesaid, shall keep such lamp or lamps properly trimmed, lighted, and attached, or such reflector properly attached and in such condition as to reflect a red light.

Penalty.

2. Penalty, forty shillings ; second or subsequent conviction, five pounds. Provided that if a person driving or being in charge of a vehicle is charged with an offence under this Bye-law, he shall not be convicted thereof if he proves to the satisfaction of the Court that such offence arose through the neglect or default of some other person whose duty it was to provide the vehicle with a lamp or lamps or reflector.

3. This Bye-law shall apply to every vehicle, machine, or implement to which the Lights on Vehicles Act, 1907, applies.

(2) CARTS, WAGGONS, ETC.

*Made under Section 26 of the Highways and Locomotives
Amendment Act, 1878.*

There is no power of arrest without warrant under these Bye-laws. The procedure is by summons.

Penalty for each breach of these Bye-laws, two pounds.

COUNTY OF ESSEX.

(Dated 7th April, 1891.)

The driver, or person having for the time being the care or control of any waggon, wain, cart, or carriage drawn by animal power, upon any main road or other highway, is liable to a penalty if he cause or suffer the wheel of such waggon, wain, cart, or carriage, when descending a hill, to be locked unless at the bottom of such wheel, during the whole

time of its being locked, a skidpan, slipper, or shoe be placed so as to extend on either side to the full width of the tire of the wheel, and so as to prevent injury to the road by the forepart of such skidpan, slipper, or shoe, and otherwise in such manner as to prevent the road from being destroyed or injured by the locking of such wheel.

(*A similar Bye-law is in force for County of Middlesex, dated 26th February, 1880.*)

COUNTY OF HERTFORDSHIRE.

(*Dated 25th January, 1897.*)

1. This Bye-law shall extend and apply to all main roads and other highways within the County.

2. No driver or person having for the time being the care or control of any waggon, wain, cart, or carriage drawn by animal power upon any main road or other highway shall cause or suffer the wheel of such waggon, wain, cart, or carriage when descending a hill to be locked unless there is placed at the bottom of such wheel during the whole time of its being locked, a skidpan, slipper, or shoe of such shape and in such manner as to extend on either side to the full width of the tire of the wheel, and as to prevent injury to the road by the forepart of such skidpan, slipper, or shoe, and otherwise as to prevent the road from being destroyed or injured by the locking of such wheel.

COUNTY OF KENT.

(*Dated 6th April, 1880.*)

The following Bye-laws extend and apply to all main roads or other highways within the several highway areas in the jurisdiction of the County Authority:—

The owner, driver, or person for the time being employing or having the care or control of any waggon, wain, cart, or carriage drawn by animal power shall not cause or suffer such waggon, wain, cart, or carriage to be used on any main road or other highway in contravention of any such of the following Regulations as may be applicable to such waggon, wain, cart, or carriage.

The owner, driver, or person for the time being employing or having the care or control of any waggon, wain, cart, or carriage drawn by animal power shall not cause or suffer such waggon, wain, cart, or carriage to be used on any main road or other highway if any nail on any wheel of such waggon, wain, cart, or carriage be not so countersunk as not to project beyond *one-half of an inch* above any part of the surface of the tire of such wheel, or if there be on any wheel of such waggon, wain, cart, or carriage a bar or other projection so constructed or placed as to cause a deviation of any part of the bearing surface of any tire of such wheel to the extent of more than *one-half of an inch*.

The driver or person having for the time being the care or control of any waggon, wain, cart, or carriage drawn by animal power upon any main road or other highway shall not, except in snowy or slippery weather, cause or suffer the wheel of such waggon, wain, cart, or carriage when descending a hill to be locked unless at the bottom of such wheel during the whole time of its being locked a skidpan, slipper, or shoe be placed so as to extend

on either side to the full width of the tire of the wheel, and so as to prevent injury to the road by the forepart of such skidpan, slipper, or shoe, and otherwise in such manner as to prevent the road from being destroyed or injured by the locking of such wheel.

COUNTY OF MIDDLESEX.

(Dated 26th February, 1880.)

(Amended 22nd July, 1880, and 23rd April, 1885.)

The owner, driver, or person for the time being employing or having the care or control of any waggon, wain, cart, or carriage drawn by animal power, is liable to a penalty if he cause, or suffer such waggon, wain, cart, or carriage to be used on any main road or other highway if any nail on any wheel of such waggon, wain, cart, or carriage be not so countersunk as not to project beyond one-quarter of an inch above any part of the surface of the tire of such wheel, or if there be on any wheel of such waggon, wain, cart, or carriage a bar or other projection so constructed or placed as to cause a deviation of any part of the bearing surface of any tire of such wheel to the extent of more than one-quarter of an inch.

(See County of Essex *re* "Skidpans.")

COUNTY OF SURREY.

(Sealed 14th April, 1902.)

The driver or person having for the time being the care or control of any waggon, wain, cart, or carriage drawn by animal power upon any main road or other highway shall not cause or suffer the wheel of such waggon, wain, cart, or carriage, when descending a hill, to be locked unless at the bottom of such wheel during the whole time of its being locked, a skidpan, slipper, or shoe be placed so as to extend on either side to the full width of the tire of the wheel, and so as to prevent injury to the road by the forepart of such skidpan, slipper, or shoe, and otherwise in such manner as to prevent the road from being destroyed or injured by the locking of such wheel.

COUNTY BOROUGH OF WEST HAM.

(Sealed 9th January, 1900.)

The driver or person having for the time being the care or control of any waggon, wain, cart, or carriage with a load exceeding two tons in weight, drawn by animal power upon any main road or other highway, shall not cause or suffer the wheel of such waggon, wain, cart, or carriage when descending a hill to be locked, unless at the bottom of such wheel during the whole time of its being locked, a skidpan, slipper, or shoe be placed so as to extend on either side to the full width of the tire of the wheel, and so as to prevent injury to the road by the forepart of such skidpan, slipper, or shoe, and otherwise in such manner as to prevent injury to the road by the forepart of such skidpan, slipper, or shoe, and otherwise in such manner as to prevent the road from being destroyed or injured by the locking of such wheel.

(3) LOCOMOTIVES ON HIGHWAYS.

Made under Section 6 of the Locomotives Act, 1898, which provides that if any person in charge of a locomotive acts in contravention of any Bye-law under this section, and without any special authority, he is liable on summary conviction to a fine not exceeding five pounds.

There is no power of arrest without warrant under these Bye-laws. The procedure is by summons.

COUNTY OF LONDON.

1. "The Council" means the London County Council, and "the County" means the Administrative County of London (exclusive of the City of London). Interpretation.

2. A person in charge of a locomotive on any highway shall not use the locomotive to draw more than three unloaded waggons, with or without any waggon solely used for carrying water for such locomotive. Number of waggons.

Provided that this prohibition shall not apply in any case, where, on application to the Council for permission to use a locomotive to draw more than three unloaded waggons, with or without any waggon solely used as aforesaid, such Council in writing grant such permission.

3. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any part of a highway for more than thirty minutes at any time. Stopping on highway.

Provided that this Bye-law shall not be deemed to apply in any case where the stopping of the locomotive for a longer period than thirty minutes

(a) is necessary in order to enable the person using the locomotive to comply with the requirements of any statutory provision or bye-law for the time being in force for the regulation of the use of locomotives; or

(b) is rendered necessary by accident, or other unavoidable cause; or

(c) is necessary in case of a steam roller lawfully on any highway for the purpose of maintenance, repair, or construction of highways.

4. Where for a continuous length exceeding 100 yards a highway comprises a carriageway or cartway of a width less than 20 feet, a person in charge of a locomotive shall not cause or suffer the locomotive to enter upon the carriageway or cartway unless and until Narrow thoroughfares.

(a) he shall have ascertained that throughout the length aforesaid the carriageway or cartway is clear of vehicles; and

(b) a person accompanying the locomotive shall have preceded the locomotive to a sufficient distance to warn drivers of vehicles of the approach of the locomotive.

5. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any highway so that any wheel of the locomotive rests on any bridge, arch, or culvert, or within 10 feet from the face of the abutment of any bridge, arch, or culvert. Bridges, culverts, &c.

Provided that this prohibition shall not be deemed to apply in any case

- (a) where a steam roller is lawfully on any highway for the purpose of the construction, repair, or maintenance of a highway ; or
- (b) where, in pursuance of the statutory provision in that behalf, a locomotive may be required to be instantly stopped ; or
- (c) where the stopping of a locomotive may be rendered necessary by accident, or other unavoidable cause.

Stopping on request.

6. A person in charge of a locomotive on any highway who may be required by any officer of the Council or police constable duly authorized in that behalf, to stop the locomotive, for the purpose of enabling the officer or constable to ascertain by examination whether any provision of any statute or bye-law applicable to the locomotive has been or is duly complied with, shall forthwith cause the locomotive, if in motion, to stop, and shall not cause or suffer the locomotive to be again set in motion until such time shall have elapsed as may be reasonably necessary for the purpose of such examination.

The person in charge of the locomotive shall, in connection with such examination, give all reasonable assistance that may be demanded by the officer or constable requiring the locomotive to be stopped.

Name and address to be given.

7. A person in charge of a locomotive on any highway shall furnish his true name and address to any officer of the Council or police constable, duly authorized in that behalf, who shall demand the same.

Following another locomotive.

8. A person in charge of a locomotive on any highway shall not cause or suffer the locomotive to be driven on the same track as another locomotive preceding it, at a less distance than 200 yards, except there is a reasonable necessity for so doing.

(Sealed 12th March, 1914.)

Facilities to be afforded overtaking vehicles.

A person in charge of a locomotive drawing any loaded or unloaded waggon or waggons shall not cause or suffer the locomotive to travel on any highway without having (1) a cord or other efficient means of communication extending from the rearmost waggon to such locomotive, and (2) a person who shall (except during the time it is necessary for him to leave his position in order to comply with any statutory regulation or bye-law relating to the use of locomotives on highways) travel in the rear of such waggon or waggons. Such last-mentioned person shall signal to the driver of such locomotive to stop or drive to the side of the highway when it shall be necessary to do so in order to enable overtaking pedestrians, vehicles, horses, or cattle to pass by. And the person in charge of such locomotive shall, upon receiving any such signal as aforesaid, immediately stop such locomotive and waggon or waggons or draw them to the side of the highway as the case may require.

Provided always that this Bye-law shall not apply—

- (a) to a steam roller not drawing more than three loaded or unloaded waggons ; or
- (b) to any locomotive drawing not more than one loaded or unloaded waggon, if such locomotive or waggon, or any load or loads carried thereon, do not obstruct the view by the person driving the locomotive of overtaking traffic.

COUNTY OF ESSEX.

(Sealed 1st January, 1901.)

1. "The Council" means the County Council of Essex, and "the County" means the Administrative County of Essex. Interpretation.

2. A person in charge of a locomotive shall not use the locomotive on any of the highways of which the description appears in the Schedule hereunto appended, and which are highways whereon the use of locomotives is hereby prohibited on account of the highways being unfitted for locomotive traffic. Highways prohibited for locomotive traffic.

Schedule.

Description of highway whereon the use of locomotives is prohibited on account of the highway being unfitted for locomotive traffic :— Schedule.

Wanstead—Red Bridge Lane.

3. A person in charge of a locomotive on any highway shall not use the locomotive to draw more than three unloaded waggons, with or without any waggon solely used for carrying water for such locomotive. Number of waggons.

Provided that this prohibition shall not apply in any case where, on application to the Council or, so far as regards any highway situated in a municipal borough to the Council of that Borough, for permission to use a locomotive to draw more than three unloaded waggons, with or without any waggon solely used as aforesaid, such Council may grant such permission.

4. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any part of a highway for more than thirty minutes at any one time. Stopping on highway.

Provided that this Bye-law shall not be deemed to apply in any case where the stopping of the locomotive for a longer period than thirty minutes

(a) is necessary in order to enable the person using the locomotive to comply with the requirements of any statutory provision or bye-law for the time being in force for the regulation of the use of locomotives ; or

(b) is rendered necessary by accident, or other unavoidable cause.

5. Where for a continuous length exceeding 100 yards a highway comprises a carriageway or cartway of a width less than 16 feet, a person in charge of a locomotive shall not drive or suffer the locomotive to be driven upon the carriageway or cartway unless a person accompanying the locomotive shall precede the locomotive for a distance reasonably sufficient to warn the drivers of vehicles of the approach of the locomotive. Narrow thoroughfares.

6. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any highway so that any wheel of the locomotive rests on any bridge, arch, or culvert, or within 10 feet from the face of the abutment of any bridge, arch, or culvert. Bridges, culverts, &c.

Provided that this prohibition shall not be deemed to apply in any case

(a) where, in pursuance of the statutory provision in that behalf, a locomotive may be required to be instantly stopped ; or

(b) where the stopping of a locomotive may be rendered necessary by accident, or other unavoidable cause.

Stopping on request.

7. A person in charge of a locomotive on any highway who may be required by any officer of the Council or police constable, duly authorized in that behalf, to stop the locomotive, for the purpose of enabling the officer or constable to ascertain by examination whether any provision of any statute or bye-law applicable to the locomotive has been or is duly complied with, shall forthwith cause the locomotive, if in motion, to stop, and shall not cause or suffer the locomotive to be again set in motion until such time shall have elapsed as may be reasonably necessary for the purpose of such examination.

The person in charge of the locomotive shall, in connection with such examination, give all reasonable assistance that may be demanded by the officer or constable requiring the locomotive to be stopped.

Locomotives on bridges.

The following Bye-law respecting Locomotives on Bridges, made by the Essex County Council on 7th April, 1891, is still in force :—

For preventing the use of Locomotives upon certain Bridges.

Prohibited on certain bridges.

A locomotive shall not be used on any of the several bridges hereinafter described, the same being bridges where the County Authority is satisfied that such use would be attended with danger to the public, that is to say : any bridge upon which a notice is established, signed, or purporting to be signed by the County Surveyor, or other Surveyor having control of such bridge, prohibiting the use of locomotives thereon.

(Sealed 6th April, 1915.)

Facilities to be afforded overtaking vehicles.

A person in charge of a locomotive drawing any loaded or unloaded waggon or waggons shall not cause or suffer the locomotive to travel on any highway without having (1) a cord or other efficient means of communication extending from the rearmost waggon to such locomotive, and (2) a person who shall (except during the time it is necessary for him to leave his position in order to comply with any statutory regulation or bye-law relating to the use of locomotives on highways) travel in the rear of such waggon or waggons. Such last-mentioned persons shall signal to the driver of such locomotive to stop or drive to the side of the highway when it shall be necessary to do so in order to enable overtaking pedestrians, vehicles, horses, or cattle to pass by.

And the person in charge of such locomotive shall, upon receiving any such signal as aforesaid, immediately stop such locomotive and waggon or waggons, or draw it and them to the side of the highway, as the case may require.

Provided always that this Bye-law shall not apply—

- (a) to a steam roller not drawing more than three loaded or unloaded waggons, or
- (b) to any locomotive drawing not more than one loaded or unloaded waggon if such locomotive or waggon, or any load or loads carried thereon do not obstruct the view by the person driving the locomotive, of overtaking traffic.

Note.—The above Bye-law is not operative within the Borough of Colchester.

COUNTY OF HERTS.

(Sealed 15th July, 1901.)

1. "The Council" means the County Council of Hertfordshire, and "the County" means the Administrative County of Hertford. Interpretation.

2. A person in charge of a locomotive on any highway shall not use the locomotive to draw more than three unloaded waggons, with or without any waggon solely used for carrying water for such locomotive. Number of waggons.

Provided that this prohibition shall not apply in any case where, on application to the Council or, so far as regards any highway situated in a municipal borough to the Council of that Borough, for permission to use a locomotive to draw more than three unloaded waggons, with or without any waggon solely used as aforesaid, the Council may grant such permission.

3. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary in any part of a highway for more than *thirty minutes* at any one time. Stopping on highway.

Provided that this Bye-law shall not be deemed to apply in any case where the stopping of the locomotive for a longer period than *thirty minutes*

(a) is necessary in order to enable the person using the locomotive to comply with the requirements of any statutory provision or bye-law for the time being in force for the regulation of the use of locomotives ; or

(b) is rendered necessary by accident, or unavoidable cause.

4. Where for a continuous length exceeding 100 *yards* a highway comprises a carriageway or cartway of a width less than 16 *feet*, a person in charge of a locomotive shall not drive or suffer the locomotive to be driven upon the carriageway or cartway unless a person accompanying the locomotive shall precede the locomotive for a distance reasonably sufficient to warn the drivers of vehicles of the approach of the locomotive, and to enable them to pass the same. Narrow thorough-fares.

5. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any highway so that any wheel of the locomotive rests on any bridge, arch, or culvert, or within 10 *feet* from the face of the abutment of any bridge, arch, or culvert. Bridges, culverts, &c.

Provided that this prohibition shall not be deemed to apply in any case

(a) where, in pursuance of the statutory provision in that behalf, a locomotive may be required to be instantly stopped ; or

(b) where the stopping of a locomotive is rendered necessary by accident, or other unavoidable cause.

6. A person in charge of a locomotive on any highway who may be required by any officer of the Council or police constable, duly authorized in that behalf, to stop the locomotive, for the purpose of enabling the officer or constable to ascertain by examination whether any provision of any statute or bye-law applicable to the locomotive has been or is duly complied with, shall forthwith cause the locomotive, if in motion, to stop, and shall not cause or suffer the locomotive to be again set in motion until such time shall have elapsed as may be reasonably necessary for the purpose of such examination. Stopping on request.

The person in charge of the locomotive shall, in connection with such examination, give all reasonable assistance that may be demanded by the officer or constable requiring the locomotive to be stopped.

(Sealed 25th July, 1913.)

Facilities to be afforded overtaking vehicles.

A person in charge of a locomotive drawing two or more loaded or unloaded waggon shall not cause or suffer the locomotive to travel on any highway without having (1) a cord or other efficient means of communication extending from the rearmost waggon to such locomotive, and (2) a person who shall (except during the time necessary for him to leave his position in order to comply with any statutory regulation or bye-law relating to the use of locomotives on highways) travel in the rearmost waggon. Such last-mentioned person shall signal to the driver of such locomotive to stop or drive to the side of the highway when it shall be necessary to do so in order to enable overtaking pedestrians, vehicles, horses, or cattle to pass by. And the person in charge of such locomotive shall, upon receiving any such signal as aforesaid, immediately stop such locomotive and waggons or draw it and them to the side of the highway, as the case may require.

Provided always that nothing herein contained shall apply to a steam roller not drawing more than three loaded or unloaded waggons.

The above Bye-law will not be operative within the City of St. Albans.

COUNTY OF KENT.

(Sealed 17th August, 1904.)

Interpretation.

1. "The Council" means the County Council of Kent, and "the County" means the Administrative County of Kent.

Highways prohibited for locomotive traffic.

2. A person in charge of a locomotive shall not use the locomotive on any of the highways of which the description appears in the Schedule hereunto appended, and which are highways whereon the use of locomotives is hereby prohibited on account of the cause or causes specified in such Schedule in relation to the several highways.

Provided always that the foregoing prohibition shall not apply so as to prevent the use on any of the said highways of a locomotive for the haulage or conveyance of goods to or from any premises abutting on any of such highways or of material for the repair of such highways.

Schedule.

Schedule.

Bromley, Beckenham, and Chislehurst Urban Districts—
Description of Highways.

Bromley Urban District.

Addison Road
Alma Grove
Aylesbury Road
Barnet Wood Road
Bird-in-Hand Lane
Bickley Park Road
Bloomfield Road
Blyth Road
Brewery Road
Cambridge Road
Chatterton Road
Church Road
Church Lane
College Road
College Slip
Crescent Road
Cross Road
Devonshire Square
East Street
Elmfield Road

Elmstead Lane (south of Sundridge Avenue)
Ethelbert Road
Elmfield Park
Farwig Lane
Freelands Road
Freelands Grove
Glebe Road
Gravel Road
Glassmill Lane
Great Elms Road
Hammelton Road
Havelock Road
Hawkesworth Road
Heathfield Road
Henry Street
Holwood Road
Homefield Road
Hope Park
Jackson's Road

Johnson Road
Lower Camden
Magpie Hall Lane
Marlborough Road
Martin's Road
Napier Road
Nelson Road
Newbury Road
Newman Road
Nichol Lane
North Road
North Street
Oaklands Road
Page Heath
Palace Grove
Palace Road
Park End
Park Grove
Park Road
Plymouth Road

Bromley Urban District—*cont.*

Pope Road	Slough Lane	Upper Park Road
Princes Plain	Southborough	Walpole Road
Queen's Mead Road	South Street	Warner Road
Raglan Road	Southlands Grove	Wellington Road
Ravensbourne Road	Southlands Road	West Street
Recreation Road	Stanley Road	Wharton Road
Ringer's Road	Station Road	White Hart Slip
Skym Corner	Tweedy Road	

Beckenham Urban District—

Acacia Road	Edward Road	Pickhurst Park
Albert Road	Elm Road	Phoenix Road
Albemarle Road	Fairfield Road	Picquet Road
Aldersmead Road	Foxgrove Road	Princes Road
Allen Road	Florence Road	Perth Road
Ancaster Road	Felmingham Road	Queens Road
Arrol Road	Gowland Place	Queen Anne Avenue
Arthur Road	Gyndor Road	" " (extension)
Avenue Road	Gordon Road	Ravensbourne Road
Avenue, The	Hayne Road	Ravenscroft Road
Alexander Road	Hardings Lane	Rectory Road
Abbey Road	Kelsey Park Avenue	Reddons Road
Barnmead Road	Kelsey Park Road	Rouden Road
Beckenham Place Park	Kelsey Square	Salisbury Avenue
Beckenham Grove	Kemerton Road	Samos Road
Bevington Road	Kent House Station	Scotts Lane
Birkbeck Road	Kingshall Road	Seward Road
Blandford Road	Kingswood Road (Penge)	Shortlands Grove
Blakeney Road	Kingswood Road	Sidney Road
Blakeney Avenue	(Shortlands)	Somerville Road
Border Crescent	Road off Kingswood	South Hill Road
Border Road	Road (Shortlands)	Springfield Road
Brackley Road	Knoll, The	Station Road
Bromley Grove	Kimberley Road	St. George's Road
Burrell Row	Kendall Road	St. James Avenue
Byne Road	Langley Road	St. John's Road
Burnhill Road	Laurie Park Road	Stannmore Terrace
Belmont Road	Laurie Crescent	Sultan Street
Bridge Road	Lawn Road	Sydenham Avenue
Blandford Avenue	Lea Road	Suffield Road
Cator Road	Lennard Road (lower)	Sherringham Road
Cedars Road	" " (upper)	Stembridge Road
Chaffinch Road	Limes Road	St. Margarets Road
Chancery Lane	Linden Grove	Tennyson Road
Charvill Circus	Lucas Road	Thayers Farm Road
Church Road	Lonsdale Road	Thesiger Road
Church Road	Maberley Road	Tootswood Road
(Shortlands)	Mackenzie Road	Tremaine Road
Clement Road	Maitland Road	Trinity Road
Clock House Road	Manor Grove	Tudor Road
Copers Cope Road	Manor Road	Valley Road
Courtney Road	Marlow Road	Venner Road
Crampton Road	Mays Hill Road	Victor Road
Crab Hill	Monivea Road	Villiers Road
Crescent Road	Morland Road	Warwick Road
Cromwell Road	Mosslea Road	Westbourne Road
Cumberland Road	Newlands Park Road	Westgate Road
Court Downs Road	Newlands Park Road	Wateley Road
Chester Road	(Road off)	Wiverton Road
Den Road	Oakhill Road	Woodbastwick Road
Downs Bridge Road	Oakwood Avenue	Worsley Bridge Road
Downs Hill	Overbury Avenue	Westfield Road
Downs Road	Parish Lane	Winchester Road
Durham Avenue	Park Road	Whitmore Road
Durham Road	Park Hill Road	Witham Road
Dunbar Road	Plawfield Road	Yew Tree Road
Eden Road	Pelham Road	

Chislehurst Urban District—
Church Lane

3. [Does not apply to any part of the Metropolitan Police District.]

Number of
waggons.

4. A person in charge of a locomotive on any highway shall not use the locomotive to draw more than three unloaded waggons exclusive of any waggon solely used for carrying water for such locomotive.

Provided that this prohibition shall not apply in any case where on application to the Council or so far as regards any highway situated in a Municipal Borough to the Council of that Borough for permission to use a locomotive to draw more than three unloaded waggons, exclusive of any waggon solely used as aforesaid such Council may grant such permission.

Stopping
on highway.

5. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any part of a highway for more than thirty minutes at any one time.

Provided that this Bye-law shall not be deemed to apply in any case where the stopping of the locomotive for a longer period than thirty minutes

(a) is necessary for the purpose of loading or unloading or in order to enable the person using the locomotive to comply with the requirements of any statutory provision or bye-law for the time being in force for the regulation of the use of locomotives ; or

(b) is rendered necessary by accident or other unavoidable cause.

Narrow
thorough-
fares.

6. Where for a continuous length exceeding 100 yards a highway comprises a carriageway or cartway of a width less than 16 feet, a person in charge of a locomotive shall not drive or suffer the locomotive to be driven upon the carriageway or cartway unless a person accompanying the locomotive shall precede the locomotive for a distance reasonably sufficient to warn the drivers of vehicles of the approach of the locomotive.

Bridges,
culverts, &c.

7. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any highway so that any wheel of the locomotive rests on any bridge, arch, or culvert, or within 10 feet from the face of the abutment of any bridge, arch, or culvert.

Provided that this prohibition shall not be deemed to apply in any case

(a) where in pursuance of the statutory provision in that behalf a locomotive may be required to be instantly stopped ; or

(b) where the stopping of a locomotive may be rendered necessary by accident or other unavoidable cause.

Stopping on
request.

8. A person in charge of a locomotive on any highway who may be required by any officer of the Council or police constable duly authorized in that behalf to stop the locomotive for the purpose of enabling the officer or constable to ascertain by examination whether any provision of any statute or bye-law applicable to the locomotive has been or is duly complied with shall forthwith cause the locomotive if in motion to stop, and shall not cause or suffer the locomotive to be again set in motion until such time shall have elapsed as may be reasonably necessary for the purpose of such examination.

The person in charge of the locomotive shall in connection with such examination give all reasonable assistance that may be demanded by the officer or constable requiring the locomotive to be stopped.

9. Nothing in these Bye-laws shall apply to a steam roller for the time being employed as such within its jurisdiction by any Highway Authority within the said County or by any person acting on behalf of such Authority. Steam rollers.

(Sealed 18th August, 1915.)

1.—A person in charge of a locomotive drawing one or more loaded or unloaded waggons shall not cause or suffer the locomotive to travel on any highway without having— Facilities to be afforded overtaking vehicles.

(1) a cord or other efficient means of communication extending from the rearmost waggon to such locomotive, and

(2) a person who shall (except during the time it is necessary for him to leave his position in order to comply with any statutory regulation or bye-law relating to the use of locomotives on highways) travel in the rear of such waggons. Such last-mentioned person shall signal to the driver of such locomotive to stop or drive to the side of the highway when it shall be necessary to do so in order to enable overtaking pedestrians, vehicles, horses, or cattle, to pass by. And the person in charge of such locomotive shall, upon receiving any such signal as aforesaid, immediately stop such locomotive and waggons, or draw it and them to the side of the highway as the case may require.

Provided always that this Bye-law shall not apply—

(a) to a steam roller not drawing more than three loaded or unloaded waggons ;

(b) to any locomotive drawing not more than one loaded or unloaded waggon, if such locomotive or waggon, or any load or loads carried thereon, do not obstruct the view by the person driving the locomotive of overtaking traffic.

2. The above Bye-law shall extend and apply to all parts of the Administrative County of Kent, exclusive of any Municipal Borough which contained according to the Census of One thousand eight hundred and eighty-one a population of ten thousand or upwards.

(Sealed 22nd February, 1916.)

A person in charge of a locomotive shall not use the locomotive on any of the highways situated in the Urban District of Bexley of which the description appears in the schedule hereunto appended, and which are highways whereon the use of locomotives is hereby prohibited on account of the cause or causes specified in such schedule in relation to the several highways. Highways prohibited for locomotive traffic.

Provided always that the foregoing prohibition shall not apply so as to prevent the use on any of the said highways of a locomotive for the haulage or conveyance of goods to or from any property abutting on or adjoining any of such highways or of materials for the repair of such highways or a steam plough or agricultural locomotive requiring access to fields adjoining such highways or of any steam roller.

*Schedule.**Description of Highways.*

Bexley Urban District—

Abbey Road	Gipsy Road	Pickford Road
Albert Road	Glyde Road	Pincott Road
Albion Road	Graham Road	Princess Street
Alers Road	Granville Road	Queen Street
Avenue Road	Harcourt Road	Redhouse Lane
Banks Lane	Hartford Road	Rowan Road
Bethel Road	Hawthorn Road	Royal Oak Road
Belvedere Road	Heathfield Road	Salisbury Road
Broomfield Road	Izane Road	Sandford Road
Chapel Road	Knoll Road	Springfield Road
Church Road, Bexley	Lewis Road	Standard Road
Heath	Lion Road	Trinity Place
Church Road, East	Manor Road	Upton Road
Wickham	Maxim Road	Victoria Road, Bexley
Devonshire Road	Methuen Road	Victoria Road, Bexley
East Road	Mount Road	Heath
East Street, Bexley	North Street	Warren Road
Heath	Oaklands Road	Warwick Road
Ethronvi Road	Parkhurst Road	West Street
Freta Road	Pelham Road	

Cause of Prohibition.—Inconvenience caused to inhabitants and the unfitness of the highways for locomotive traffic.

Arbuthnot Lane	Cross Lane	Robin Hood Lane
Bean Road	Love Lane	Woodside Lane
Brook Lane	Pickford Lane	

Cause of Prohibition.—Unfitness of the highways for locomotive traffic.

COUNTY OF MIDDLESEX.

(Sealed 20th March, 1902.)

Interpreta-
tion.

1. "The Council" means the County Council of Middlesex, and "the County" means the Administrative County of Middlesex.

Highways
prohibited
for locomo-
tive traffic.

2. A person in charge of a locomotive shall not use the locomotive on any of the highways of which the description appears in Schedule A hereunto appended, and which are highways whereon the use of locomotives is hereby prohibited on account of such one or more of the causes mentioned in such schedule as is or are therein specified in relation to the several highways.

Schedule A.

Schedule A (Locomotives Prohibited on certain Highways).

Enfield Parish—

Silver Street (between Parsonage Lane and "The Town")

Twickenham Parish—

Church Street

Willesden Parish—

Cambridge Avenue

Cambridge Road

High Street, Harlesden (from Crown Hill Road to the "Royal Oak" Public-house)

High Road, Willesden Green (from the Library to Walm Lane)

Station Road, Harlesden (from the Public Clock at Harlesden to the north side of Harley Road)

Cause of Prohibition.—On account of the highways being crowded.

Acton Parish—

Acton Lane (between the "Swan" Public-house and Acton Green)

Horn Lane (between Rosemont Road and Creswick Road)

Edmonton Parish—

Aberdeen Road	George Street	Raynham Avenue
Albany Road	Gilpin Grove	Rosebery Road
Alston Road	Glasgow Road	Salisbury Road
Argyle Road	Gordon Road	St. George's Road
Arthur Road	Harton Road	St. James's Road
Ashwell Grove	Haselbury Road	St. Joseph's Road
Balfour Road	Henderson Road	St. Malo Avenue
Balham Road	Hendon Road	St. Mark's Road
Bath Road	Inverness Road	St. Mary's Road
Baxter Road	Kenwood Road	St. Mary's Gardens
Beaconsfield Road	Kingston Road	St. Peter's Avenue
Beamish Road	King's Road	(Brettenham Road)
Bolton Road	Lancaster Road	Second Avenue
Brettenham Avenue	Langhedge Lane	Short Street
Cavendish Road	Lansfield Avenue	Shakespeare Road
Chamberlain Road	Latimer Road	Sheldon Road
Chester Road	Leopold Road	Shrubbery Road
Chiswick Road	Linnell Road	Somerset Road
Cornwall Road	Linton Cottages	South Road
Crescent Road	Lyndhurst Road	Stanley Road (Church
Cross Road	Marsden Road	Street)
Cuba Cottages	Millfield Road	Stanley Road
Cumberland Road	Milton Road	(Montague Road)
Cuthbert Road	Monmouth Road	Statham Grove
Cyprus Road	Morley Avenue	Sutherland Road
Denny Road	Nelson Road	Sweet Briar Walk
Denton Road	North Avenue	Tillotsen Road
Devonshire Road	(Raynham Road)	Tramway Avenue
Edinburgh Road	North Avenue	Village Road
Exeter Road	(Brettenham Road)	Walbrook Road
Fairfield Road	North Road	Wellington Avenue
Felixstowe Road	Osman Road	Westminster Road
First Avenue, Montague	Oxford Road	Westoe Road
Road	Plevna Road	Woolmer Road
First Avenue, Bush Hill	Park Avenue (Bush	(Bounces Road)
Park	Hill Park)	York Road
Florence Road	Queen Anne's Gardens	
Genista Road	Queen Anne's Grove	

Enfield Parish—

Lee Valley Road
 Lincoln Road
 South Street (east of the Railway)
 Sydney Road

Hanwell Parish—

Cuckoo Lane (north of the entrance to the Central London.
 District Schools)

Hendon Parish—

Argyle Road	Elm Terrace	New Brent Street
Ash Grove	Florence Street	Page Street
Ashley Lane	Flower Lane	Pollard Road
Belle Vue Road	Foster Street and Place	Prince of Wales's Road
Belle Vue Terrace	Frith Lane	Queen's Road
Blind Lane	Fuller Street	Ramsey Road
Borthwick Road	Green Lane	Ravenstone Road
Bunns Lane	Gutters Hedge Lane	Second Avenue
Burnt Oak Road	(Upper and Lower)	Stanley Road
Burton Hole Lane	Hammers Lane	Stoneyfield Lane
Church End and Hall	Hankins Lane	Stratford Road
Lane	Heading Street	Sunny Gardens
Clitherhouse Lane	Hermitage Lane	Telford Road
Colin Deep Lane	Hoop Lane	Victoria Road
Cool Oak Lane	John's Avenue	West Heath Road
Cross Street	Milespit Hill	Wilberforce Road
Dollis Road	Milton Road	Yew Grove
Elm Grove	Nan Clarke's Lane	York Road

Hornsey Parish—

Burgoyne Road
 Bishops Road
 Coppetts Road (north
 of the Isolation Hos-
 pital)
 Church Road
 Cromwell Avenue
 Claremont Road
 Crouch End Hill
 Crouch Hill
 Dickenson Road
 Florence Road North
 Florence Road South
 Highgate Avenue
 High Street, Highgate

Highgate Hill
 Hornsey Lane
 Hornsey Lane Gardens
 Holmesdale Road
 Jackson's Lane
 Langdon Park Road
 Muswell Hill
 Mount Pleasant Road
 Mount Pleasant Villas
 Mount View Road
 Northwood Road
 Queen's Wood Road
 Shepherd's Hill (east of
 Coolhurst Road)
 Southwood Avenue

Southwood Lane
 Southwood Lawn Road
 Stanhope Road
 Stapleton Hall Road
 Talbot Road
 Wembury Road
 Weston Park
 Willoughby Road
 Wightman Road
 Winchester Road
 Wolseley Road
 Wood Lane
 Woodstock Road

Kingsbury Parish—

Forty Lane.
 Stag Lane.

Southgate Parish—

Albert Street
 Alexander Road
 Avenue Road
 Barrowell Green Lane
 Broomfield Lane
 Compton Road
 Cross Road
 Eaton Park Road
 Elmdale Road
 Firs Lane (south of
 Middle Lane)
 Fox Lane
 Garfield Road

Green Dragon Lane
 (north of the eastern
 entrance to the
 Northern Hospital)
 Hazelwood Lane
 Highfield Row
 Hoppers Road (north
 Dog and Duck Lane)
 King's Arms Lane
 Lower Park Road
 Marlboro' Road
 Meadowcroft Road
 Middleton Road
 Palmerston Crescent
 Powys Lane

Queen's Road
 Russell Road
 South Road
 Springfield Road
 Stanley Road
 Stonard Road
 The Limes Avenue
 Tilekiln Lane
 Union Road
 Upper Park Road
 Vicar's Moor Lane
 (north of Jew Corner
 Lane)
 Whittington Road
 Wolves Lane

Twickenham Parish—

Cross Deep Road

Wembley Parish—

Forty Lane

Willesden Parish—

Canterbury Road, Kilburn
 Church Road (from Old Harrow Road to Willesden Lane)
 Dog Lane (from the Harrow Road to the point at which the road turns sharply
 eastward at or near to the entrance to the Willesden District Council's
 Sewerage Works, and between Lansdowne Grove and Neasden Lane)
 Taylor's Lane
 Walm Lane (from Willesden Lane to Chapter Road)

Wood Green Parish—

Buckingham Road

Hendon Rural District—

Great Stanmore { Dennis Lane
 Old Church Lane

Cause of Prohibition.—On account of the highways being unfitted for
 locomotive traffic.

Wood Green Parish—

Acacia Road	Fletton Road	River Park Road
Barratt Avenue	Gathorne Road	St. Alban's Crescent
Berners Road	Hornsey Park Road	St. Michael's Road
Blenheim Road	Jones' Lane	St. Michael's Terrace
Blind Lane	Maidstone Road	Sidney Road
Boundary Road	Marlborough Road	Stuart Crescent
Bradley Road	Marquis Road	Terrick Road
Brook Road	Myddleton Road	The Grove
Canning Crescent	Newnham Road	Trinity Road
Carlton Road	Nightingale Road	Truro Road
Caxton Road	Northbrook Road	Tower Terrace
Clarence Road (between	Palace Road	Warberry Road
Nightingale Road and	Palmerston Road	Warlborough Road
Truro Road)	Park Avenue	Western Road
Cranbrook Park	Parkhurst Road	White Hart Lane
Earlham Road	Park Ridings	Whittington Road
Edith Road	Pellatt Grove	Williams Grove
Eleanor Road	Queen's Road	Winkfield Road
Ewart Grove	Richmond Road	Woodville Road
Finsbury Road	Ringslade Road	

Cause of Prohibition.—On account of the inconvenience caused to inhabitants.

3. A person in charge of a locomotive on any highway shall not use the locomotive to draw more than three unloaded waggons with or without any waggon solely used for carrying water for such locomotive. Number of waggons.

Provided that this prohibition shall not apply in any case, where, on application to the Council, or, so far as regards any highway situated in a municipal borough, to the Council of that borough, for permission to use a locomotive to draw more than three unloaded waggons, with or without any waggon solely used as aforesaid, such Council may grant such permission.

4. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any part of a highway for more than thirty minutes at any one time. Stopping on highway.

Provided that this Bye-law shall not be deemed to apply in any case where the stopping of the locomotive for a longer period than thirty minutes

(a) is necessary in order to enable the person using the locomotive to comply with the requirements of any statutory provision or bye-law for the time being in force for the regulation of the use of locomotives ; or

(b) is rendered necessary by accident, or other unavoidable cause.

5. Where for a continuous length exceeding 100 yards, a highway comprises a carriageway or cartway of a width less than 16 feet, a person in charge of a locomotive shall not drive or suffer the locomotive to be driven upon the carriageway or cartway, unless a person accompanying the locomotive shall precede the locomotive for a distance reasonably sufficient to warn the drivers of vehicles of the approach of the locomotive. Narrow thorough-fares.

6. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any highway, so that any wheel of the locomotive rests on any bridge, arch, or culvert, or within ten feet from the face of the abutment of any bridge, arch, or culvert. Bridges, culverts, &c.

Provided that this prohibition shall not be deemed to apply in any case

- (a) where, in pursuance of the statutory provision in that behalf, a locomotive may be required to be instantly stopped ; or
- (b) where the stopping of a locomotive may be rendered necessary by accident, or other unavoidable cause.

Locomotives
prohibited
on certain
bridges.

7. A person in charge of a locomotive shall not use the locomotive on any of the bridges of which the description appears in Schedule B hereunto appended, and which are bridges whereon the use of locomotives is hereby prohibited on account of such one or more of the causes mentioned in such schedule as is or are therein specified in relation to the several bridges.

Schedule B.

Schedule B (Locomotives Prohibited on certain Bridges).

Edmonton Parish—

Bridge over Salmons Brook in Montagu Road, Edmonton
Cast-iron girder bridge over the East London Cut, Lea Valley Road
Maiden's Bridge

Finchley Parish—

Middlesex half of Totteridge Bridge, Finchley

Greenford Parish—

Bridge over River Brent, between the Ealing Town Council's Northern Sewage Works and Perivale

Hampton Parish—

Wooden Bridge in Holly Road } Hampton Hill
Wooden Bridge in Park Road }

Hanwell Parish—

Wooden Bridge over River Brent at north-west corner of district

Hendon Parish—

Brent Bridge, in Renter's Lane
Decoy Bridge, Bell Lane

Heston and Isleworth Parishes—

Oak Bridge, Oak Lane, Isleworth Queen's Bridge, Whitton Dean, Isleworth
Kendal Bridge

Hornsey Parish—

Bridge over New River in Turnpike Lane. (See Bye-law No. 8.)

Southgate Parish—

Barrowell Green Bridge Fords Grove Farm Road Bridge
Bowes Road Bridge Fords Grove Road Bridge
Bridge at World's End Road Highfield Row Bridge
Firs Lane Bridge

Staines Parish—

Hale Bridge, Hale Street, Staines

Sunbury Parish—

Walton Bridge

Wembley Parish—

Preston Bridge, Clay Lane

Willesden Parish—

Bridge over Canal, Acton Lane

Hendon Rural District—

Milman's Bridge, Eastcote Road, Pinner

Staines Rural District—

Littleton Bridge

Uxbridge Rural District—

West Drayton Mill Bridge
Back Lane Bridge
Frog Lane Bridge

Cause of Prohibition.—The Council being satisfied that the bridges are unsuited for locomotive traffic.

Enfield Parish—

Wooden Bridge over River Lea, Lea Valley Road
Cast-iron girder bridge over the Lock, Lea Valley Road

Twickenham Parish—

Hospital Bridge, Hospital Road

South Mimms Parish—

Bridge over Mym's Wash, Cecil Road
Bridge over Mym's Wash, Baker's Lane
Bridge in Galley Lane

Uxbridge Rural District—

Trout Lane Bridge, Yiewsley
Harefield Moor Bridge
Harefield Moor, River Colne Bridge

8. A person in charge of a locomotive shall not use the locomotive on the Turnpike Lane Bridge, in the Parish of Hornsey, which is a bridge whereon the use of locomotives is hereby prohibited, the Council being satisfied that the said bridge is unsuited for locomotive traffic. Turnpike Lane Bridge.

Provided that nothing in this Bye-law shall be deemed to prohibit the use on the said bridge of a locomotive not exceeding 10 tons in weight, and not drawing any loaded waggons.

9. A person in charge of a locomotive on any highway who may be required by any officer of the Council or police constable, duly authorized in that behalf, to stop the locomotive, for the purpose of enabling the officer or constable to ascertain by examination whether any provision of any statute or bye-law applicable to the locomotive has been or is duly complied with, shall forthwith cause the locomotive, if in motion, to stop, and shall not cause or suffer the locomotive to be again set in motion until such time shall have elapsed as may be reasonably necessary for the purpose of such examination. Stopping on request.

The person in charge of the locomotive shall, in connection with such examination, give all reasonable assistance that may be demanded by the officer or constable requiring the locomotive to be stopped.

(Dated 19th December, 1912.)

A person in charge of a locomotive drawing two or more loaded or unloaded waggons shall not cause or suffer the locomotive to travel on any highway without having (1) a cord or other efficient means of communication extending from the rearmost waggon to such locomotive, and (2) a person who shall (except during the time it is necessary for him to leave his position in order to comply with any statutory regulation or bye-law relating to the use of locomotives on highways) travel in the rear of such waggons. Such last-mentioned person shall signal to the driver of such locomotive to stop or drive to the side of the highway when it shall be necessary to do so in order to enable overtaking pedestrians, vehicles, horses, or cattle to pass by. And the person in charge of such locomotive shall, upon receiving any such signal as aforesaid, immediately stop such locomotive and waggons, or draw it and them to the side of the highway as the case may require. Facilities to be afforded overtaking vehicles.

Provided always that nothing herein contained shall apply to a steam roller not drawing more than three loaded or unloaded waggons.

The above Bye-law will not be operative within the Boroughs of Ealing and Hornsey.

COUNTY OF SURREY.

(Sealed 1st January, 1901.)

Interpretation.

1. "The Council" means the County Council of the Administrative County of Surrey.

Number of waggons.

2. A person in charge of a locomotive on any highway shall not use the locomotive to draw more than three unloaded waggons with or without any waggon solely used for carrying water for such locomotive. Provided that where a locomotive is drawing three loaded waggons it shall not be used to draw any unloaded waggon; where a locomotive is drawing two loaded waggons it shall not be used to draw more than one unloaded waggon; and where a locomotive is drawing one loaded waggon it shall not be used to draw more than two unloaded waggons.

This prohibition shall not apply in any case where, on application to the Council for permission to use a locomotive to draw more unloaded waggons than the numbers hereinbefore respectively prescribed, with or without any waggon solely used as aforesaid, such Council may grant such permission.

Stopping on highway.

3. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any part of a highway for more than thirty minutes at any one time.

Provided that this Bye-law shall not be deemed to apply in any case where the stopping of the locomotive for a longer period than thirty minutes

(a) is necessary in order to enable the person using the locomotive to comply with the requirements of any statutory provision or bye-law for the time being in force for the regulation of the use of locomotives; or

(b) is rendered necessary by accident, or other unavoidable cause.

Narrow thoroughfares.

4. Where for a continuous length exceeding 100 yards a highway comprises a carriageway or cartway of a width less than 15 feet, a person in charge of a locomotive shall not drive or suffer the locomotive to be driven upon the carriageway or cartway unless a person accompanying the locomotive shall precede the locomotive for a distance reasonably sufficient to warn the drivers of vehicles of the approach of the locomotive.

Bridges, culverts, &c.

5. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any highway so that any wheel of the locomotive rests on any bridge, arch, or culvert, or within 10 feet from the face of the abutment of any bridge, arch, or culvert.

Provided that this prohibition shall not be deemed to apply in any case

(a) where, in pursuance of the statutory provision in that behalf, a locomotive may be required to be instantly stopped; or

(b) where the stopping of a locomotive may be rendered necessary by accident, or other unavoidable cause.

Stopping on request.

6. A person in charge of a locomotive on any highway who may be required by any officer of the Council, or police constable duly authorized in that behalf, to stop the locomotive, for the purpose of enabling the officer or constable to ascertain by examination whether any provision of any statute or bye-law applicable to the locomotive has been or is duly complied with, shall forthwith cause the locomotive,

if in motion, to stop, and shall not cause or suffer the locomotive to be again set in motion until such time shall have elapsed as may be reasonably necessary for the purpose of such examination.

The person in charge of the locomotive shall, in connection with such examination, give all reasonable assistance that may be demanded by the officer or constable requiring the locomotive to be stopped.

Memorandum.—At a meeting of the County Council of the Administrative County of Surrey, held at the County Hall, Kingston-upon-Thames, on Tuesday, the 14th day of May, 1901, all police officers and constables for the time being stationed in the said Administrative County (exclusive of the Boroughs of Guildford, Kingston-upon-Thames, Reigate, and Richmond) were authorized to stop locomotives travelling upon the highways therein and to act under and in pursuance of Bye-law No. 6 of these Bye-laws.

The foregoing Bye-laws do not apply to the Boroughs of *Guildford*, *Kingston-upon-Thames*, *Reigate*, and *Richmond*.

(Dated 17th July, 1899.)

The driver of a locomotive shall not cause or suffer such locomotive to be driven over or upon any bridge forming part of a highway at any time when another locomotive is driven over or is upon such bridge.

One locomotive only to be on bridge at any one time.

A locomotive shall not be used on any bridge within the county, where the County Authority shall be satisfied that the use of such bridge by a locomotive would be attended with danger to the public and shall affix a notice at both ends thereof, signed by their surveyor, prohibiting the passing of any locomotive.

(Note.—This does not apply to the Borough of Guildford.)

(Dated 15th November, 1904.)

1. A person in charge of a locomotive shall not use the locomotive on any part of the highways known respectively as Station Road, Hook Road, and Horton Lane, in the Parish of Epsom, in the Administrative County of Surrey, during the hours between 8 o'clock in the evening of any day and 6 o'clock on the next morning, provided that this prohibition shall not apply to locomotives known as steam rollers when in use for the purposes of making or repairing roads.

Prohibited on certain highways in parish of Epsom.

COUNTY BOROUGH OF CROYDON.

(Sealed 25th November, 1901.)

1. "The Council" means the Mayor, Aldermen, and Burgesses of the County Borough of Croydon acting by the Council, and "Borough" means the County Borough of Croydon.

Interpretation.

2. A person in charge of a locomotive shall not use the locomotive on any of the following highways whereon the use of locomotives is hereby prohibited on account of the highways being crowded and unfitted for locomotive traffic, and on account of the inconvenience caused to the inhabitants: South End, High Street, North End, London Road (from St. James' Road, southwards), High Street, South Norwood (from Portland Road, westwards), Selhurst Road (from High Street to Whitworth Road), Brigstock Road (from Beulah Road East to Parchmore Road).

Highways prohibited for locomotive traffic.

Number of
waggons.

3. A person in charge of a locomotive on any highway shall not use the locomotive to draw more than three unloaded waggons, with or without any waggon solely used for carrying water for such locomotive, nor where both loaded and unloaded waggons are drawn, a greater number of unloaded waggons than will make the number of waggons four in all.

Provided that this prohibition shall not apply in any case where, on application to the Council for permission to use a locomotive to draw more unloaded waggons than the numbers hereinbefore respectively prescribed with or without any waggon solely used as aforesaid, the Council may grant such permission.

Stopping on
highway.

4. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any part of a highway for more than *thirty minutes* at any one time.

Provided that this Bye-law shall not be deemed to apply in any case where the stopping of the locomotive for a longer period than *thirty minutes*

(a) is necessary in order to enable the person using the locomotive to comply with the requirements of any statutory provision or bye-law for the time being in force for the regulation of the use of locomotives ; or

(b) is rendered necessary by accident or other unavoidable cause.

Narrow
thorough-
fares.

5. Where for a continuous length exceeding 100 *yards* a highway comprises a carriageway or cartway of a width less than 15 *feet*, a person in charge of a locomotive shall not drive or suffer the locomotive to be driven upon the carriageway or cartway unless a person accompanying the locomotive shall precede the locomotive for a distance reasonably sufficient to warn the drivers of vehicles of the approach of the locomotive.

Bridges,
culverts, &c.

6. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any highway so that any wheel of the locomotive rests on any bridge, arch, or culvert, or within 10 *feet* from the face of the abutment of any bridge, arch, or culvert.

Provided that this prohibition shall not be deemed to apply in any case

(a) where, in pursuance of the statutory provision in that behalf, a locomotive may be required to be instantly stopped ; or

(b) where the stopping of a locomotive may be rendered necessary by accident, or other unavoidable cause.

Prohibited
on certain
bridges.

7. A person in charge of a locomotive shall not use the locomotive on any of the following bridges, which are bridges whereon the use of locomotives is hereby prohibited on account of the Council being satisfied that the same are unsuited for locomotive traffic : Pitlake Bridge, situate 35 chains south of West Croydon Railway Station ; Windmill Bridge, situate a quarter of a mile north of East Croydon Railway Station ; Tennison Road Bridge, situate 23 chains south of Norwood Junction Station.

Stopping on
request.

8. A person in charge of a locomotive on any highway who may be required by any officer of the Council or police constable, duly authorized in that behalf, to stop the locomotive, for the purpose of enabling the

officer or constable to ascertain by examination whether any provision of any statute or bye-law applicable to the locomotive has been or is duly complied with, shall forthwith cause the locomotive, if in motion, to stop, and shall not cause or suffer the locomotive to be again set in motion until such time shall have elapsed as may be reasonably necessary for the purpose of such examination.

The person in charge of the locomotive shall, in connection with such examination, give all reasonable assistance that may be demanded by the officer or constable requiring the locomotive to be stopped.

9. Nothing in these Bye-laws shall apply to a steam roller for the time being employed as such within the said Borough by the Council or by any person acting on behalf of the Council. Steam roller.

COUNTY BOROUGH OF WEST HAM.

(Sealed 29th January, 1901.)

1. "The Council" means the Mayor, Aldermen, and Burgesses of the County Borough of West Ham, acting by the Council of the Borough, and "the Borough" means the County Borough of West Ham. Interpretation.

2. A person in charge of a locomotive shall not use the locomotive on the highway known as Angel Lane, Stratford, from the Broadway to Windmill Lane, the same being a highway whereon the use of locomotives is hereby prohibited, on account of the highway being crowded. Highway prohibited for locomotive traffic.

3. A person in charge of a locomotive on any highway shall not use the locomotive to draw more than three unloaded waggons with or without any waggon solely used for carrying water for such locomotive. Number of waggons.

Provided that this prohibition shall not apply in any case where, on application to the Council, for permission to use a locomotive to draw more than three unloaded waggons, with or without any waggon solely used as aforesaid, such Council may grant such permission.

4. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any part of a highway for more than *thirty minutes* at any one time. Stopping on highway.

Provided that this Bye-law shall not be deemed to apply in any case where the stopping of the locomotive for a longer period than *thirty minutes*

(a) is necessary in order to enable the person using the locomotive to comply with the requirements of any statutory provision or bye-law for the time being in force for the regulation of the use of locomotives ; or

(b) is rendered necessary by accident, or other unavoidable cause.

5. Where for a continuous length exceeding 100 *yards* a highway comprises a carriageway or cartway of a width less than 15 *feet*, a person in charge of a locomotive shall not drive or suffer the locomotive to be driven upon the carriageway or cartway unless a person accompanying the locomotive shall precede the locomotive for a distance reasonably sufficient to warn the drivers of vehicles of the approach of the locomotive. Narrow thoroughfares.

6. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any highway so that any wheel of the locomotive rests on any bridge, arch, or culvert, or within 10 *feet* from the face of the abutment of any bridge, arch, or culvert. Bridges, culverts, &c.

Provided that this prohibition shall not be deemed to apply in any case

- (a) where, in pursuance of the statutory provision in that behalf, a locomotive may be required to be instantly stopped; or
- (b) where the stopping of a locomotive may be rendered necessary by accident, or other unavoidable cause.

7. A person in charge of a locomotive shall not use the locomotive on the bridge known as Cook's Road Bridge, and situate off High Street, Stratford, near Bow Bridge, the Council being satisfied that the same is unsuited for locomotive traffic.

Stopping on request.

8. A person in charge of a locomotive on any highway who may be required by any officer of the Council or police constable, duly authorized in that behalf, to stop the locomotive, for the purpose of enabling the officer or constable to ascertain by examination whether any provision of any statute or bye-law applicable to the locomotive has been or is duly complied with, shall forthwith cause the locomotive, if in motion, to stop, and shall not cause or suffer the locomotive to be again set in motion until such time shall have elapsed as may be reasonably necessary for the purpose of such examination.

The person in charge of the locomotive shall, in connection with such examination, give all reasonable assistance that may be demanded by the officer or constable requiring the locomotive to be stopped.

MUNICIPAL BOROUGHES.

EALING.

(Sealed 1st October, 1903.)

Interpretation.

1. "The Council" means the Mayor, Aldermen, and Burgesses of the Borough of Ealing (acting by the Council), and "the Borough" means the Borough of Ealing.

Number of waggons.

2. A person in charge of a locomotive on any highway shall not use the locomotive to draw more than three unloaded waggons, with or without any waggon solely used for carrying water for such locomotive, nor where both loaded and unloaded waggons are drawn a greater number of unloaded waggons than will make the number of waggons four in all.

Provided that this prohibition shall not apply in any case, where, on application to the Council for permission to use a locomotive to draw more than three unloaded waggons, with or without any waggon solely used as aforesaid, the Council may grant such permission.

Stopping on highway.

3. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any part of a highway for more than *thirty minutes* at any one time.

Provided that this Bye-law shall not be deemed to apply in any case where the stopping of the locomotive for a longer period than thirty minutes

- (a) is necessary in order to enable the person using the locomotive to comply with the requirements of any statutory provision or bye-law for the time being in force for the regulation of the use of locomotives; or
- (b) is rendered necessary by accident or other unavoidable cause.

4. Where for a continuous length exceeding 100 yards a highway comprises a carriageway or cartway of a width less than 16 feet, a person in charge of a locomotive shall not drive or suffer the locomotive to be driven upon the carriageway or cartway unless a person accompanying the locomotive shall precede the locomotive for a distance reasonably sufficient to warn the drivers of vehicles of the approach of the locomotive.

Narrow thoroughfares.

5. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any highway so that any wheel of the locomotive rests on any bridge, arch, or culvert, or within 10 feet from the face of the abutment of any bridge, arch, or culvert.

Bridges, culverts, &c.

Provided that this prohibition shall not be deemed to apply in any case

- (a) where, in pursuance of the statutory provision in that behalf, a locomotive may be required to be instantly stopped ; or
- (b) where the stopping of a locomotive may be rendered necessary by accident, or other unavoidable cause.

6. A person in charge of a locomotive shall not use the locomotive on the bridge in the Borough known as *Perivale Bridge*, Perivale Corner, whereon the use of locomotives is hereby prohibited, the Council being satisfied that the same is unsuited for locomotive traffic.

7. A person in charge of a locomotive exceeding 10 tons in weight, or drawing a weight which, together with the weight of the locomotive, exceeds 10 tons, shall not use such locomotive on the bridge known as Spring Bridge, and a person in charge of a locomotive exceeding 12 tons in weight, or drawing a weight which, together with the weight of the locomotive, exceeds 12 tons, shall not use the locomotive on the bridge known as West Ealing Station Bridge.

The Council being satisfied that the use of such bridges without the restriction aforesaid would be attended with damage to the bridges or danger to the public.

8. A person in charge of a locomotive on any highway who may be required by any officer of the Council or police constable, duly authorized in that behalf, to stop the locomotive for the purpose of enabling the officer or constable to ascertain by examination whether any provision of any statute or bye-law applicable to the locomotive has been or is duly complied with, shall forthwith cause the locomotive, if in motion, to stop, and shall not cause or suffer the locomotive to be again set in motion until such time shall have elapsed as may be reasonably necessary for the purpose of such examination.

Stopping on request.

The person in charge of the locomotive shall, in connection with such examination, give all reasonable assistance that may be demanded by the officer or constable requiring the locomotive to be stopped.

9. These Bye-laws shall not apply to any locomotive belonging to and being used by the Council as Road Authority.

Saving clause.

HORNSEY.

(Sealed 9th May, 1904.)

1. "The Council" means the Mayor, Aldermen, and Burgesses of the Borough of Hornsey, acting by the Council, and "the Borough" means the Borough of Hornsey.

Interpretation.

Highways
prohibited
for loco-
motive traffic.

2. A person in charge of a locomotive shall not use the locomotive on any of the highways of which the description appears in the Schedule hereunto appended, and which are highways whereon the use of locomotives is hereby prohibited on account of the highways being unfitted for locomotive traffic.

Schedule.

Burgoyne Road	High Street, Highgate	Southwood Avenue
Bishops Road	Highgate Hill	Southwood Lane
Coppetts Road (north of the Isolation Hos- pital)	Hornsey Lane	Southwood Lawn Road
Church Road	Hornsey Lane Gardens	Stanhope Road
Cromwell Avenue	Holmesdale Road	Stapleton Hall Road
Claremont Road	Jackson's Lane	Talbot Road
Crouch End Hill	Langdon Park Road	Wembury Road
Crouch Hill	Muswell Hill	Weston Park
Dickenson Road	Mount Pleasant Road	Willoughby Road
Florence Road North	Mount Pleasant Villas	Wightman Road
Florence Road South	Mount View Road	Winchester Road
Highgate Avenue	Northwood Road	Wolseley Road
	Queen's Wood Road	Wood Lane
	Shepherd's Hill (east of Coolhurst Road)	Woodstock Road

Number of
waggons.

3. A person in charge of a locomotive on any highway shall not use the locomotive to draw more than three unloaded waggons, with or without any waggon solely used for carrying water for such locomotive.

Provided that this prohibition shall not apply in any case, where, on application to the Council for permission to use a locomotive to draw more than three unloaded waggons, with or without any waggon solely used as aforesaid, such Council may grant such permission.

Stopping on
highway.

4. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any part of a highway for more than *thirty minutes* at any one time.

Provided that this Bye-law shall not be deemed to apply in any case where the stopping of the locomotive for a longer period than *thirty minutes*—

(a) is necessary in order to enable the person using the locomotive to comply with the requirements of any statutory provision or bye-law for the time being in force for the regulation of the use of locomotives; or

(b) is rendered necessary by accident, or other unavoidable cause.

Narrow
thorough-
fares.

5. Where for a continuous length exceeding 100 yards a highway comprises a carriageway or cartway of a width less than 16 feet, a person in charge of a locomotive shall not drive or suffer the locomotive to be driven upon the carriageway or cartway unless a person accompanying the locomotive shall precede the locomotive for a distance reasonably sufficient to warn the drivers of vehicles of the approach of the locomotive.

Bridges,
culverts, &c.

6. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any highway so that any wheel of the locomotive rests on any bridge, arch, or culvert, or within 10 feet from the face of the abutment of any bridge, arch, or culvert.

Provided that this prohibition shall not be deemed to apply in any case

- (a) where, in pursuance of the statutory provision in that behalf, a locomotive may be required to be instantly stopped ; or
- (b) where the stopping of a locomotive may be rendered necessary by accident, or other unavoidable cause.

7. A person in charge of a locomotive shall not use the locomotive on the bridge over the New River in Turnpike Lane, which is a bridge whereon the use of locomotives is hereby prohibited, the Council being satisfied that such bridge is unsuited for locomotive traffic, and that such use would be attended with damage to the bridge.

Provided that nothing in this Bye-law shall be deemed to prohibit the use on the said bridge of a locomotive not exceeding 10 tons in weight, and not drawing any loaded waggons.

8. A person in charge of a locomotive on any highway who may be required by any officer of the Council or police constable, duly authorized in that behalf, to stop the locomotive, for the purpose of enabling the officer or constable to ascertain by examination whether any provision of any statute or bye-law applicable to the locomotive has been or is duly complied with, shall forthwith cause the locomotive, if in motion, to stop, and shall not cause or suffer the locomotive to be again set in motion until such time shall have elapsed as may be reasonably necessary for the purpose of such examination.

Stopping on request.

The person in charge of the locomotive shall, in connection with such examination, give all reasonable assistance that may be demanded by the officer or constable requiring the locomotive to be stopped.

(Sealed 19th May, 1913.)

A person in charge of a locomotive drawing two or more loaded or unloaded waggons shall not cause or suffer the locomotive to travel on any highway without having (1) a cord or other efficient means of communication extending from the rearmost waggon to such locomotive, and (2) a person who shall (except during the time it is necessary for him to leave his position in order to comply with any statutory regulation or bye-law relating to the use of locomotives on highways) travel in the rear of such waggons. Such last-mentioned person shall signal to the driver of such locomotive to stop or drive to the side of the highway when it shall be necessary to do so in order to enable overtaking pedestrians, vehicles, horses, or cattle to pass by. And the person in charge of such locomotive shall, upon receiving any such signal as aforesaid, immediately stop such locomotive and waggons, or draw it and them to the side of the highway as the case may require. Provided always that nothing herein contained shall apply to a steam roller not drawing more than three loaded or unloaded waggons.

Facilities to be afforded overtaking vehicles, &c.

RICHMOND.

(Sealed 11th February, 1902.)

1. "The Council" means the Mayor, Aldermen, and Burgesses of the Borough of Richmond (Surrey), and "the Borough" means the Borough of Richmond (Surrey).

Interpretation.

2. These Bye-laws shall not apply to any agricultural locomotive, to any locomotive not used for haulage purposes, to any steam roller, nor to any locomotive belonging to the Council as road authority.

Saving clause.

Highways
prohibited
for loco-
motive traffic.

3. A person in charge of a locomotive shall not use the locomotive on any of the highways within the Borough known as George Street, Hill Street, Hill Rise, and The Terrace, respectively, which are highways whereon the use of locomotives is hereby prohibited on account of such highways being crowded and unfitted for locomotive traffic and on account of the inconvenience caused to inhabitants.

Number of
waggons.

4. A person in charge of a locomotive on any highway shall not use the locomotive to draw more than three unloaded waggons, with or without any waggon solely used for carrying water for such locomotive, nor where both loaded and unloaded waggons are drawn a greater number of unloaded waggons than will make the number of waggons four in all.

Provided that this prohibition shall not apply in any case, where, on application to the Council for permission to use a locomotive to draw more than three unloaded waggons, with or without any waggon solely used as aforesaid, the Council may grant such permission.

Stopping on
highways.

5. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any part of a highway for more than thirty minutes at any one time.

Provided that this Bye-law shall not be deemed to apply in any case where the stopping of the locomotive for a longer period than thirty minutes

(a) is necessary in order to enable the person using the locomotive to comply with the requirements of any statutory provision or bye-law for the time being in force for the regulation of the use of locomotives ; or

(b) is rendered necessary by accident, or other unavoidable cause.

Narrow
thorough-
fares.

6. Where for a continuous length exceeding 100 yards a highway comprises a carriageway or cartway of a width less than 16 feet, a person in charge of a locomotive shall not drive or suffer the locomotive to be driven upon the carriageway or cartway unless a person accompanying the locomotive shall precede the locomotive for a distance reasonably sufficient to warn the drivers of vehicles of the approach of the locomotive.

Bridges,
culverts, &c.

7. A person in charge of a locomotive shall not cause or suffer the locomotive to remain stationary on any highway so that any wheel of the locomotive rests on any bridge, arch, or culvert, or within 10 feet from the face of the abutment of any bridge, arch, or culvert.

Provided that this prohibition shall not be deemed to apply in any case

(a) where, in pursuance of the statutory provision in that behalf, a locomotive may be required to be instantly stopped ; or

(b) where the stopping of a locomotive may be rendered necessary by accident, or other unavoidable cause.

8. A person in charge of a locomotive shall not use the locomotive on the bridge in the Borough known as Richmond Bridge, which is a bridge whereon the use of locomotives is hereby prohibited, the Council being satisfied that the same is unsuited for locomotive traffic and that such use would be attended with danger to the public.

9. A locomotive shall not pass over any of the highways within the Borough known as Kew Road, Lower Mortlake Road, Sheen Road, Queen's Road, and Petersham Road during the hours between 10 o'clock in the afternoon and 6 o'clock in the forenoon.

Limitation
of time for
certain
highways.

Provided that this prohibition shall not apply in any case, where, on application to the Council for permission to pass over any one or more of such highways during the prohibited hours as aforesaid, the Council may grant such permission.

10. A person in charge of a locomotive on any highway who may be required by any officer of the Council or police constable, duly authorized in that behalf, to stop the locomotive, for the purpose of enabling the officer or constable to ascertain by examination whether any provision of any statute or bye-law applicable to the locomotive has been or is duly complied with, shall forthwith cause the locomotive if in motion to stop, and shall not cause or suffer the locomotive to be again set in motion until such time shall have elapsed as may be reasonably necessary for the purpose of such examination.

Stopping on
request.

CHAPTER V.

LOCAL LIMITATIONS ON HIGHWAYS.

THE following lists give for the Metropolitan Police District particulars of:—

- (a) Bridges with restrictions as to their use other than the common notice "ordinary traffic of the district."
- (b) Low bridges and archways providing less than 16 feet head room over the carriageway.
- (c) Fords and watersplashes.
- (d) Level crossings.
- (e) Thoroughfares through which the passage of a motor vehicle is prohibited.

The authority for the regulations made in list (a) is contained in the Local Government Act, 1888 (51 & 52 Vict. c. 41), section 16, and the Ministry of Transport Act, 1919 (9 & 10 Geo. 5, c. 50), section 2. See also the Locomotive Act, 1861, section 6. As regards the Metropolis (County of London) see also Metropolitan Board of Works (Various Powers) Act, 1882, and the London County Council (General Powers) Act, 1892.

Bridges with Restrictions as to their use other than the Common Notice "Ordinary Traffic of the District."

* Maximum weight of any self-propelled vehicle crossing over the bridge.

† Maximum axle weight of any one axle of any self-propelled vehicle crossing over the bridge.

§ Maximum total axle weight of all the axles of any self-propelled vehicle crossing over the bridge.

‡ Maximum axle weight of all the combined axles of any self-propelled vehicle and trailer passing over the bridge.

See also Chapter IV, Bye-laws, wherein will be found restrictions on the use of locomotives on bridges.

Acton Lane Bridge	3 tons† ; 5 tons§ ; 5 tons‡
Addiscombe Road Bridge, Croydon ..	6 tons*
Albert Bridge	5 tons*
Albert Road Bridge, Regent's Park..	3 tons† ; 5 tons§ ; 5 tons‡
Barge River Bridge, River Lee, Waltham Abbey.	3 tons*
Bessborough Bridge, Harrow	8 tons‡
Bexley Lane Bridge	6 tons† ; 8 tons§ ; 10 tons‡
Bishop's Road Bridge, Paddington ..	3 tons† ; 5 tons§ ; 8 tons‡
Blackhorse Lane Bridge, Woodside ..	9 tons*
Bleak Hall Bridge, Angel Road, Edmonton.	3 tons*
Boathouse Bridge, Peckham	10 tons*
Brent Bridge, Ealing Road, Alperton	Dangerous for heavy vehicles
Brent Bridge, Preston Road, Wembley	19 tons§. Locomotives prohibited
Brent Bridge, Wembley Park.. ..	7 tons† ; 11 tons*
Brentfield Road Bridge, Willesden ..	Locomotives, traction engines and other unusually heavy vehicles prohibited
Bridge Road Bridges, Poplar (two bridges).	16 tons* (each)
Bridge Street Bridge, Sunbury	3 tons† ; 5 tons§ 5 tons‡

Broadfield Lane Bridge, Cheshunt ..	5 tons*
Brunswick Street Bridge, Poplar ..	5 tons*
Bull's Moor Lane Bridge, Enfield	5 tons*
Highway.	
Butter Hill Water Bridge, Carshalton	No heavy locomotives
Canada Bridge, Redriff Road, Rotherhithe.	40 tons§
Carterhatch Lane Bridge, Enfield	5 tons*
Highway.	
Causeway Bridge, Wandsworth ..	6 tons†
Chiswick High Road Bridge	3 tons†; 5 tons§; 5 tons‡
Church Road Bridge, Richmond ..	5 tons§
Church Lane Bridge, Cheshunt ..	5 tons*
Church Street Bridge, Stoke Newington	3 tons†; 5 tons§; 5 tons‡
Claypond's Lane Bridge, Brentford ..	3 tons†; 5 tons§; 5 tons‡
College Road Bridge, Cheshunt ..	5 tons*
Colne Bridge, Harefield	5 tons§
Cook's Bridge, Twyford Abbey ..	3 tons*
Court Road Bridge, Eltham	8 tons*
Cowley Bridge, Iver Road	5 tons§
Cowley Railway Bridge	15 tons†
Cranley Gardens Bridge, Muswell Hill	3 tons*
Crouch End Hill Bridge, Hornsey ..	5 tons*
Crouch Hill Bridge, Hornsey	5 tons*
Culvert Bridge, Harefield	Locomotives prohibited
Culvert Bridge, Horseden Lane, Perivale	3 tons§
Culvert Bridges (2), Oldfield Road, Greenford.	3 tons§
Culvert Bridge, Ruislip Road, Greenford	3 tons§
Culvert Bridge, Windmill Lane, Greenford.	3 tons§
Deptford Bridge, Greenwich	15 tons*
Devon's Road Bridge, Bow	3 tons†; 5 tons*
Downs Park Road Bridge, Hackney..	6 tons; 9 tons§; 15 tons‡
Drayton Mill Bridge, Mill Road, West Drayton.	2 tons*
Dudden Hill Lane Bridge, Willesden..	6 tons†; 9 tons§; 15 tons‡
East Lane Bridge, Wembley	6 tons†
Epsom Old Road, Waddon	4 tons*
Evering Road Bridge, Hackney ..	6 tons†; 9 tons§; 15 tons‡
Farquhar Road Bridge, Upper Norwood.	11 tons*. Locomotives not to use bridge without permission of the railway company
Ferry Lane Bridge, Tottenham ..	5 tons*
Forty Lane Bridge, Wembley.. ..	Locomotives prohibited
Foxley Hill Road Bridge, Purley ..	12 tons*
Frays Bridge, Mill Road, West Drayton	3 tons*
Friendly Street Bridge.. ..	10 tons*
Fryant Lane Bridge, Kingsbury ..	Dangerous for locomotives
Glamis Road Bridge, Shadwell (South)	4 tons†; 8 tons*
Glamis Road Bridge, Shadwell (North)	6 tons†; 12 tons*
Glengall Road Bridge, Southwark ..	10 tons*
Globe Bridge, Peckham	10 tons*
Gloucester Road Bridge, Kingston ..	8 tons*
Green Lane Bridge, Northwood ..	7 tons§
Greenway Bridge, Uxbridge	15 tons†

Hammersmith Bridge	15 tons*
Harefield Bridge, Cheam Road, Cheam	5 tons§ ; 8 tons†
Harlington Road Bridge, Dawley, Hayes	5 tons§
Hermitage Bridge, Wapping	10 tons† ; 20 tons*
High Road Bridge, Kilburn	3 tons† ; 5 tons§ ; 5 tons†
High Street Bridge, Putney	3 tons† ; 5 tons§ ; 5 tons†
Hoe Lane Bridge, Enfield Highway..	5 tons*
Holly Road Bridge, Teddington ..	5 tons*
Horseden Lane Bridge, Perivale ..	5 tons§
Horton Bridge, West Drayton ..	Not suitable for vehicular traffic
Ivy Road Bridge, Isleworth	Locomotives, traction engines and other heavily laden vehicles prohibited
Kempton Lane Bridge, Hampton ..	3 tons† ; 5 tons§
Kew Foot Road Bridge, Richmond ..	3 tons† ; 5 tons§ ; 5 tons†
Knight's Park Bridge, Kingston ..	8 tons*
Ladydock Bridge, Redriff Road ..	8 tons§
Lambeth Bridge	Closed to vehicular traffic
Larkhall Rise Bridge	5 tons*
Lavender Bridge, Rotherhithe Street	8 tons§
Lea Valley Bridge, Ponders End Lock	3 tons*
Lee Cut Bridge, Northey Street, Limehouse.	5 tons*
Lee Road Bridge	8 tons*
Lewisham Bridge, Loampit Vale, Lewisham.	15 tons*
Lewisham Road Bridge	5 tons*
Lillie Bridge	7 tons† ; 10 tons§ ; 18 tons†
Lock Bridge, Ferry Lane, Tottenham	5 tons*
Lodge Road Bridge, St. John's Wood	3 tons† ; 5 tons§ ; 8 tons†
Long Lane Bridge (between Elmers End and Woodside).	11 tons*
Lordship Road Bridge, Stoke Newington	3 tons† ; 5 tons§ ; 5 tons†
Lower Mortlake Road Bridge, Richmond	3 tons† ; 5 tons§ ; 5 tons†
Lydford Road Bridge, Willesden ..	3 tons† ; 5 tons§
Mapesbury Road Bridge, Brondesbury	3 tons† ; 5 tons§
Manorway Station Railway Bridge, N. Woolwich.	7 tons*
Marshgate Bridge, Homerton Road, Hackney Marsh.	3 tons*
Mill Bridge, Southend Lane, Sydenham	15 tons*
Mill Green Road Water Bridge, Mitcham	No heavy locomotives
Morden Road Bridge, Wimbledon ..	5 tons† ; 8 tons§
Muswell Hill Bridge (near Railway Station).	3 tons*
Narrow Street Bridge, Limehouse ..	5 tons*
Narrow Street Bridge, Shadwell ..	3 tons† ; 5 tons*
New Cross Road Bridge	6 tons*
New Cross Bridge (over S.E. & C.R.)	5 tons* ; 6 tons†
New Cross Bridge (over L.B. & S.C.R.)	14 tons* ; 20 tons†
New Gravel Lane Bridge, Shadwell (North).	6 tons† ; 12 tons*
New Gravel Lane Bridge, Shadwell (South).	4 tons† ; 8 tons*
North End Road Bridge, Fulham ..	4 tons† ; 8 tons§ ; 12 tons †

Norwood Road Bridge, Southall ..	3 tons† ; 5 tons§ ; 3 tons‡
Oakthorpe Road Bridge, Palmers Green ..	5 tons†
Old Ford Road, Railway Bridge ..	3 tons† ; 5 tons*
Old Ford Skew Bridge (over Canal) ..	Locomotives, traction engines and other unusually heavy traffic forbidden
Old Gravel Lane Bridge, Shadwell ..	16 tons† ; 32 tons*
Oldfield Road Bridge, Greenford ..	5 tons§
Oval Road Bridge, Regent's Park ..	6 tons*
Park Lane Bridge, Stoke Newington..	3 tons† ; 5 tons§ ; 5 tons‡
Park Road Bridge, Sunbury ..	3 tons† ; 5 tons§ ; 5 tons‡
Padcroft Road Bridge, Yiewsley ..	5 tons§
Plaistow Lane Bridge, Bromley ..	7 tons*
Pool Bridge, Lower Sydenham ..	15 tons*
Preston Road Bridge, Poplar ..	5 tons*
Preston Road Bridges, Poplar (2 swing bridges over locks).	16 tons† ; 32 tons* (each)
Quadrant Road Bridge, Richmond ..	3 tons† ; 5 tons§ ; 5 tons‡
Red Bridge Lane Bridge, Wanstead..	2 tons*
Regina Road Bridge, The Common, Southall.	3 tons† ; 5 tons§ ; 5 tons‡
Richmond Bridge ..	Locomotives prohibited
Richmond Road Bridge, Isleworth ..	Locomotives, traction engines and other heavily laden vehicles prohibited
Richmond Road Bridge, Shepherd's Bush.	5 tons*
Rockley Road Bridge, Shepherd's Bush	5 tons*
Royal Hill Bridge, Greenwich..	10 tons*
Ruislip Road Bridge, Northolt ..	5 tons§
Russia Bridge, Redriff Road, Rother- hithe	40 tons§
Saukin Hill Bridge, Warlingham ..	8 tons*
Shacklegate Road Bridge, Teddington	5 tons*
Southborough Road Bridge, Bickley..	6 tons*
Southwood Road Bridge, New Eltham	3 tons† ; 6 tons‡
South Road Bridge, Southall ..	7 tons§
Springfield Lane Bridges, Harefield (2)	2 tons§
St. James' Bridge, St. James' Road, Bermondsey.	3 tons† ; 5 tons§ ; 6 tons‡
St. Katherine's Bridge, St. Katherine's Way.	10 tons† ; 20 tons*
Staines Road Bridge, Sunbury ..	3 tons† ; 5 tons§ ; 6 tons‡
Stanley Road Bridge, Teddington ..	5 tons*
Starling Bridge, Pinner ..	5 tons§
Station Bridge, Hatch End, Pinner ..	5 tons§
Station Road Bridge, Hayes ..	5 tons§
Station Approach Bridge, Southall ..	2 tons† ; 4 tons§ ; 7 tons‡
Stockley Road Bridge, West Drayton	5 tons§
Strong's Bridge, Hackney Marsh ..	1 ton*
Surrey Bridge, Rotherhithe Street ..	12 tons§
Tabur's Lane Bridge, Sutton ..	3 tons† ; 5 tons‡
Tennison Road Bridge, Norwood ..	Locomotives prohibited
Thames Street Bridge, Sunbury ..	3 tons†
Three Mills Lane Bridge, Bow ..	3 tons*
Totteridge Lane Bridge, Finchley ..	3 tons† ; 5 tons§ ; 5 tons‡

Trafalgar Road Bridge, Southwark ..	10 tons*
Tudor Road Bridge, Hampton ..	3 tons†, 5 tons§
Turkey Street Bridge, Enfield Highway	5 tons*
Twickenham Road Bridge, Isleworth	Locomotives, traction engines and other heavily laden vehicles prohibited
Union Road Bridge, West Dulwich ..	5 tons*
Vicarage Road Bridge, Sunbury ..	3 tons†
Victoria Bridge, Chelsea ..	5 tons*
Waddon Bridge, Epsom Road, Waddon	2 tons†; 4 tons§
Walm Lane Bridge, Willesden ..	6 tons†; 9 tons§; 15 tons‡
Walton Bridge	8 tons*. Surrey side. Locomotives prohibited Middlesex side
Wandsworth Bridge	5 tons*
Wapping Bridge, Wapping ..	10 tons†; 12 tons*
Watford Road Bridge, Harrow ..	8 tons†
Wellesley Road Bridge, Chiswick ..	2 tons†; 4 tons§; 7 tons‡
Wells Street Bridge, Camberwell ..	5 tons*
West End Lane Bridge, Hampstead ..	7 tons†; 11 tons§; 19 tons‡
West End Lane Bridge, Pinner ..	5 tons§
West Ferry Road, Swing Bridge ..	18 tons*. May be increased to 25 tons if bridge is packed
Westcroft Road Water Bridge, Wallington.	No heavy locomotives
Western Road Bridge, The Common, Southall.	3 tons†; 5 tons§; 5 tons‡
Westminster Bridge	15 tons*
Wick Lane Bridge, Hackney ..	3 tons*
Willow Bridge, Willow Bridge Road, Canonbury.	3 tons†; 5 tons§
Windmill Lane Bridge, Southall ..	18 tons§
Windmill Road Bridge, Sunbury ..	3 tons†; 5 tons§; 5 tons‡
Worship Street Bridge, Whitechapel..	Locomotives and other unusually heavy traffic prohibited

Note.—In many cases the persons responsible do not take steps to enforce compliance with the restrictions.

Low Bridges and Archways providing less than 16 feet Head-room over the Carriageway.

Acton Lane, Acton.	Belinda Road, Brixton.
Acton Lane, Chiswick.	Bignold Road, Forest Gate.
Acton Lane, Willesden.	Bingham Road, Croydon.
Albert Road, Peckham.	Blakeney Road, Beckenham.
Alexandra Road, Hounslow.	Belinda Road, Rotherhithe.
Alleyn Park, West Dulwich.	Boundaries Road, Balham.
Angel Road, Portsmouth Road.	Bollo Lane, Chiswick.
Archibald Street, Bow.	Bow Common Lane.
Avenue Road, Forest Gate.	Braemar Road, Tottenham.
Balmoral Road, Forest Gate.	Brady Street, Bethnal Green.
Barrington Road, Brixton.	Bramley Road, Notting Hill.
Baythorne Street, Mile End.	Bridge Road, Edmonton.
Beckenham Road, Beckenham.	Buckhurst Street, Bethnal Green.
Bedford Hill, Balham.	Bunn's Lane, Mill Hill.
Bedford Road, Brixton.	Bycroft Street, Penge.

- Cambria Road, Camberwell.
 Campbell Road, Bow.
 Cantrell Road, Bow.
 Causeway, The, Wandsworth.
 Chapel Lane, Pinner.
 Chigwell Lane, Loughton.
 Church Road, Edmonton.
 Church Road, Hanwell.
 Church Road, Tottenham.
 Coborn Road, Bow.
 Cobbold Road, Forest Gate.
 Coldharbour Lane, Camberwell.
 Collingwood St., Bethnal Green.
 Colne Road, Twickenham.
 Coombe Road, Croydon.
 Coombe Road, Norbiton.
 Coventry Street, Bethnal Green.
 Cranmer Road, Forest Gate.
 Crescent Road, Church End,
 Finchley.
 Croham Road, Croydon.
 Culvert Place, Battersea.
 Dagnall Park Bridge, Selhurst.
 Denmark Road, Camberwell.
 Devon's Road, Bow.
 Dry Arch, London Bridge.
 Drysdale Street, Shoreditch.
 East Barnet Road, New Barnet.
 Eastcote Road, Harrow.
 Eleanor Road, Bow.
 Elm Grove, Harrow.
 Elm Road, Malden.
 Elmers End Road, Beckenham.
 Esher Station Road, Esher.
 Ewell Road, Long Ditton.
 Fairfield Road, Bow.
 Ferndale Road, Brixton.
 Frith Lane, Mill Hill.
 Fisher's Lane, Chiswick.
 Forest Road, Barkingside.
 Forster Road, Tottenham.
 Gibbons Road, Nunhead.
 Gordon Grove, Camberwell.
 Gordon House Rd., Kentish Town.
 Gordon Road, Peckham.
 Grafton Road, Kentish Town.
 Grand Drive, Raynes Park.
 Grosvenor Road, Westminster.
 Hale Lane, Mill Hill.
 Hare Lane, Claygate.
 Harefield Lane, Harefield.
 Hatfield Street, Shoreditch.
 Headstone Drive, Wealdstone.
 Hemmings Street, Bethnal Green.
 Henry Street, Battersea.
 Hermitage Road, Tottenham.
 High Street, Staines.
 High Street, Wanstead.
 High Street, West Norwood.
 Hinton Road, Camberwell.
 Holders Hill Road, Mill Hill.
 Holden Road, North Finchley.
 Hornsey Road, Holloway.
 Holywell Lane, Shoreditch.
 How Street, Shoreditch.
 Huddart Street, Mile End.
 Hythe Road, Willesden.
 James Street, Bethnal Green.
 Kent House Road, Penge.
 Kentish Town Road.
 King's Road, Tottenham.
 Kingsley Road, Hounslow.
 Kingston Road, Raynes Park.
 Kirkwood Road, Peckham.
 Knatchbull Road, Brixton.
 Laburnum Street, Shoreditch.
 Ladbroke Grove, Notting Hill.
 Lampton Road, Hounslow.
 Latimer Road, Hounslow.
 Latimer Road, Notting Hill.
 Lewis Road, Camberwell.
 Leybourne Road, Kentish Town.
 Lilford Road, Camberwell.
 Litcham Street, Kentish Town.
 Lockton Street, Notting Hill.
 Lombard Street, Battersea.
 Lordship Lane, Tottenham.
 Lorne Road, Forest Gate.
 Loughborough Road, Brixton.
 Lower Addiscombe Rd., Croydon.
 Lower Ham Road, Kingston.
 Lower Green Rd., Thames Ditton.
 Lower Teddington Rd., Hampton
 Wick.
 Maiden Lane, Crayford (2).
 Malden Road, New Malden.
 Manor Road, Ditton.
 Manor Road, Wallington.
 Manor Farm Road, Norbury.
 Mansfield Road, Kentish Town.
 Mansfield Street, Shoreditch.
 Mantle Road, Brockley.
 Marlpit Lane, Coulsdon.
 Marsh, The, Pinner.
 Mill Road, Ilford.
 Milk Street, Bromley.
 Moorfield Rd., Cowley, Uxbridge.
 Morpeth Street, Bethnal Green.
 Mortlake Road, Kew.
 Mount Pleasant Villas, Hornsey.
 Neasden Lane, Neasden.
 New North Road, Barkingside.

New Street Hill, Bromley.	Silver Street, Edmonton.
Northolt Road, Harrow.	Southend Lane, Catford.
Northwood Road, Highgate.	Southwark Park Road.
North End Road, Erith.	Spring Grove Road, Hounslow.
Norwood Road, Tulse Hill.	Stanhope Road, Highgate.
Nursery Road, Brixton.	Station Road, Sidcup.
Oldfield Lane, Hampton.	Stracey Road, Forest Gate, E.
Old Ford Road, Bow.	Straightsmouth, Greenwich.
Old Oak Lane, Harlesden.	Streatham Road.
Orchard Place, Tottenham.	Stroud Green Road.
Park Road, Edmonton.	Summer Hill, Chislehurst.
Pearson Street, Shoreditch.	Sussex Road, Croydon (2).
Pembury Road, Tottenham.	Tapp Street, Bethnal Green.
Penge Lane, Penge.	Tenter Street, Whitechapel.
Pevensey Road, Forest Gate.	Thames Street, Staines.
Plough Road, Battersea.	Thorpe Road, Forest Gate.
Plough Yard, Shoreditch.	Thurlow Park Road, Tulse Hill.
Pope's Grove, Twickenham.	Trundley's Road, Deptford (2).
Pope's Road, Brixton.	Turney Road, West Dulwich.
Portland Road, South Norwood.	Turnham Green Ter., Chiswick.
Portsmouth Road, Ditton (2).	Turnpike Lane, Hornsey.
Prince of Wales Rd., Kentish Town.	Trussley Rd., Shepherd's Bush (2).
Primrose Street, Shoreditch.	Union Street, Shoreditch.
Queen Elizabeth Road, Kingston.	Union Walk, Shoreditch.
Queen's Road, Battersea.	Upper Brighton Road, Surbiton.
Riverside, Twickenham (2).	Upper Tollington Park.
Robeson Street, Mile End.	Vallance Road, Bethnal Green.
Rotherhithe New Road (2).	Vaughan Road, Harrow.
Rotherhithe St., Rotherhithe (2).	Victoria Road, Peckham.
Rounton Street, Bow.	Village Way, West Dulwich.
Ruskin Road, Tottenham.	Waddon New Road, Croydon.
St. Ann's Road, Tottenham.	Wells Terrace, Holloway.
St. John's Gate, Clerkenwell.	West Drayton, Station Road, Yiewsley.
St. John's Road, Hounslow.	West End Lane, Ruislip.
St. Loy's Road, Tottenham.	West Green Road, Tottenham.
St. Mark's Road, Notting Hill.	West Green Rd., Thames Ditton.
St. Mary's Road, Ditton.	Whitehall Street, Tottenham.
St. Mary's Terrace, Twickenham.	White Hart Lane, Tottenham.
Salter's Hill, Upper Norwood.	White Post Lane, Rotherhithe.
Sanderstead Road, Croydon.	Wick Lane, Bow.
Selsdon Road, Croydon (2).	Wilkin Street, Kentish Town.
Seymour Road, Hampton Wick.	Worcester Park.
Shakespeare Road, Brixton.	York Road, Sutton.
Short's Road, Carshalton.	

Fords and Watersplashes.

<i>Locality.</i>	<i>Remarks.</i>
Blind Lane (across "Pymmes Brook"), Palmers Green.	Not passable.
Brook Street, Kingston	Not passable.
Charlton Road (Charlton Splash), Shepperton	Not usually passable.
Charlton Road (leading from Shepperton to Spelthorne).	Usually passable.
Chessington Road (Bones Gate), Chessington	Usually passable.

FORDS AND WATERSPLASHES—*cont.*

<i>Locality.</i>	<i>Remarks.</i>
Clarehall Road, South Mimms	Usually passable.
Dockwell Lane (Dockwell Splash), Hatton ..	Not usually passable.
Hale Lane, Edgware	Usually passable.
Hermitage Road, Edmonton	Usually passable.
Iver Lane (Iver Ford), Cowley, Uxbridge ..	Not usually passable.
Lower Splash Road (Lower Splash), Cranford	Not usually passable.
Mimms Lane (St. Katherine's Bourne Brook), South Mimms.	Usually passable.
New Year's Green Lane, Harefield	Usually passable.
North Hyde (Upper Splash), Cranford ..	Passable in summer.
Oakthorpe Road, Edmonton	Not usually passable.
Oil Mill Lane, Kingston.. ..	Not passable.
Rowley Green, East Finchley	Usually passable.
Ruxley Lane (Ruxley Farm), Ruxley ..	Usually passable.
Springwell Lane (Drayton Ford), Harefield ..	Usually passable.
St. Albans Road, Broad Colney	Usually passable.
St. John's Road (Shepperton Green Splash), Shepperton Green.	Not usually passable.
Stanwell Road and High Tree Lane (High Tree Lane Splash), Stanwell.	Not usually passable.
Summer Road, East Molesey	Not passable.
Theobald's Street (between Boreham Wood and Radlett).	Usually passable.
Uxbridge Road, Harefield	Usually passable.
Watersplash Road (leading from Lower Sun- bury to Shepperton).	Usually passable.

Note.—The remarks apply to the passage of motor vehicles.

Railway and other Level Crossings.

By 2 & 3 Vict. c. 45 (Highway Railway Crossings Act) a Railway Company is made responsible for not maintaining gates at level crossings, or not adequately operating them. (Penalty, five pounds.)

Abbey Road, Willesden.	Connaught Road, Silvertown (3).
Abbey Wood, Abbey Wood Station.	Coppermill Lane, Walthamstow.
Admiralty Road, Hendon.	Coronation Road, Acton.
Bath Road, Chiswick.	"Corys," Pier Road, Erith.
Bath Road, Colnbrook.	Crabtree Manorway, between Belvedere and Erith Railway Stations.
Beddington Lane, Beddington.	"Duck Lees," Ponders End.
Bedfont Lane, Feltham.	Dundonald Road, Wimbledon.
"Boarers," Boarers Manorway, Abbey Wood.	Eagle Lane, Wanstead.
Bollo Lane, Acton (2).	East India Dock Road, Poplar.
Brent Road, Southall.	East Ferry Road and Glengall Road, Cubitt Town.
Bushey Park Road, Teddington.	Edmonton Green.
Cadmore Lane, Cheshunt.	Elm Road, New Malden.
Charlton Lane, Charlton.	Factory Road, North Woolwich (7).
Chequers Lane, Dagenham.	Ferry Lane, Walthamstow.
Choke Lane, Kenley.	Galleon's Road, North Woolwich.
Church Lane and Grove Green Lane (junction), Leytonstone.	George Lane, Woodford.
Churchfield Road, Acton.	Glengall Road, Millwall (3).
Cold Blow Lane, Deptford.	Green Street, Enfield Highway.

Grove Park Terrace, Grove Park, Chiswick.	Sheen Lane, Mortlake.
Grove Street, Deptford (3).	Sickle Lane, Dagenham.
Hale End Road, Higham Park.	Silvertown Railway Station, Silvertown.
Hatch Road, Chingford.	Slade's Green Road.
Hemming Street, Bethnal Green.	Snake's Lane, Woodford.
High Street, Feltham.	Somerset Road, Teddington.
Hooper Street, Whitechapel.	South Street, Ponders End.
Kingston Road and Hartfield Road (junction), Wimbledon.	Stafford Road, Wallington.
Kingston Road, Staines.	Station Road, Belvedere.
Laleham Common, Laleham.	Station Wharf, West Street, Erith.
Lea Conservancy Road, Hackney Wick.	Stour Road, Old Ford.
Leamouth Road, Poplar.	Stump Lane, Kenley.
Lincoln Road, Enfield.	Summer Road, East Molesey.
Lower Sunbury Road, Hampton.	Sunbury Road, Sunbury.
Manchester Road, Cubitt Town.	Thames Road, Silvertown (3).
Manor Road, Staines.	Trinity Marsh Lane, Cheshunt.
Manorway, New Beckton.	Vallance Road, Bethnal Green.
Montague Road, Edmonton.	Vallance Road and Winchester Street (junction), Whitechapel.
North Hyde Road, Hayes.	Victoria Dock Road, Poplar.
North Woolwich Road, Silvertown (3).	Waddon Marsh Lane, Waddon.
Ordnance Road, Enfield Lock.	Wadham's Road, Walthamstow.
Park Lane, Tottenham.	Wellesley Road and Tower Road (junction), Teddington.
Park Lane, Waltham Cross.	West Barnes Lane, Merton (2).
Pembroke Road, between Belvedere and Erith Railway Stations.	West Street, Erith.
Percy Road, Hampton.	Westferry Road, Millwall (2).
Picardy Manorway, between Belvedere Railway and Crabtree Manorway.	Westferry Road and British Street (junction), Millwall.
Queen's Road, Buckhurst Hill.	White Hart Lane, Barnes.
Ripple Road, Barking.	Whyteleafe Hill, Whyteleafe.
Sand Street, Woolwich.	Willesden Lane, Acton.
	Windmill Lane, Cheshunt.
	Windmill Lane, Deptford.
	Witchall Lane, Slade's Green.
	Wood Lane, Isleworth.

Public Thoroughfares through which the Passage of Motor Vehicles is Prohibited.

This prohibition is made under section 7 (4) of the Roads Act and para. 40 of the Regulations made thereunder, see pp. 210, 227, *post*.

Bank Lane, Richmond Road, Kingston.	Chalk Lane, Epsom (excepting days of race meetings on Epsom Downs).
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PART II.

ACTS AND REGULATIONS CONTROLLING CERTAIN CLASSES OF VEHICLES AND TRAFFIC.

CHAPTER VI.

MOTOR CARS AND LOCOMOTIVES IN THE METROPOLIS AND ELSEWHERE.

- THE LOCOMOTIVE ACT, 1861, 24 & 25 Vict. c. 70.
 THE LOCOMOTIVES ACT, 1865, 28 & 29 Vict. c. 83.
 THE HIGHWAYS AND LOCOMOTIVES (AMENDMENT) ACT, 1878, 41 & 42 Vict. c. 77.
 LOCAL GOVERNMENT BOARD (MINISTRY OF TRANSPORT) ORDER, No. 1003 of 1903.
 LOCAL GOVERNMENT BOARD (MINISTRY OF TRANSPORT) ORDER, No. 930 of 1905.
 THE LOCOMOTIVE THRESHING ENGINES ACT, 1894, 57 & 58 Vict. c. 37.
 THE LOCOMOTIVES ON HIGHWAYS ACT, 1896, 59 & 60 Vict. c. 36.
 THE LOCOMOTIVES ACT, 1898, 61 & 62 Vict. c. 29.
 THE MOTOR CAR ACT, 1903, 3 Edw. 7, c. 36.
 THE MOTOR CAR (REGISTRATION AND LICENSING) ORDER, 1903.
 THE MOTOR CARS (USE AND CONSTRUCTION) ORDER, 1904.
 THE HEAVY MOTOR CAR ORDER, 1904.
 THE MOTOR CAR (INTERNATIONAL CIRCULATION) ACT, 1909, 9 Edw. 7, c. 37.
 THE MOTOR CAR (INTERNATIONAL CIRCULATION) ORDER, 1910, No. 421 of 1910.
 THE MOTOR CAR (INTERNATIONAL CIRCULATION) (AMENDMENT) ORDER, 1921, No. 1574 of 1921.
 THE ROAD VEHICLES (INTERNATIONAL CIRCULATION PERMIT) REGULATIONS, 1921.
 THE FINANCE ACT, 1920, 10 & 11 Geo. 5, c. 18.
 THE FINANCE ACT, 1921, 11 & 12 Geo. 5, c. 32.
 THE ROADS ACT, 1920, 10 & 11 Geo. 5, c. 72.
 THE ROAD VEHICLES (REGISTRATION AND LICENSING) REGULATIONS, 1921.

The term "locomotive" means a locomotive propelled by steam or other than animal power (41 & 42 Vict. c. 77, s. 38; 61 & 62 Vict. c. 29, s. 17 (1)). It includes a steam roller (see *Allman v. Grist*, [1891] 55 J.P. 724; *L.C.C. v. Wood*, [1897] 2 Q.B. 482; *Sharpness New Docks Co. v. Worcester Corporation*, [1913] 1 K.B. 422).

Meaning of
 "loco-
 motive," &c.

Road locomotives fall into two main classes—"heavy locomotives" and "light locomotives." The term "heavy locomotive" is not recognized by any statute, but is used to denote any locomotive not within the statutory definition of a "light locomotive" or "motor car."

The terms "light locomotive" and "motor car" are practically synonymous (see 59 & 60 Vict. c. 36, s. 1, and 3 Edw. 7, c. 36, s. 20 (1), and the Motor Car Orders). The difference between the meaning assigned to the two terms has reference to a vehicle drawn by another vehicle, which is included in the term "light locomotive," but not for all purposes, in the Motor Car Acts and Orders (*q.v.*). Broadly, the terms "light locomotive" and "motor car" include, subject to limitations of weight, any vehicle propelled by mechanical power

which is not used for the purpose of drawing more than one vehicle, and which is so constructed that no smoke or visible vapour is emitted therefrom, except from some temporary or accidental cause. (If smoke is emitted owing to improper construction the vehicle is not a motor car, and is subject to the Acts regulating the use of heavy locomotives. [*Hindle Palmer v. Noblett*, [1908] 72 J.P. 373.] If smoke is emitted simply owing to careless driving the motor car does not on that account lose its nature as such. [*Star Omnibus Co. (London) v. Tagg*, 97 L.T. 481 [1907] 71 J.P. 352; *R. v. Wilbraham, ex parte Rowcliffe*, [1907] 71 J.P. 336; 96 L.T. 712.]

The importance of the distinction between a heavy locomotive and a light locomotive (motor car) is that a light locomotive is exempted from the effect of the enactments mentioned in the Schedule to 59 & 60 Vict. c. 36 (p. 162). The Acts in this chapter which do not concern motor cars bear a note to that effect.

It should be noted that a light locomotive (motor car) is by 59 & 60 Vict. c. 36, p. 161, *post*, a carriage within the meaning of any Act of Parliament.

A light locomotive (motor car) which is over 2 tons in weight unladen is a heavy motor car and certain conditions become applicable (see p. 182), notably a limitation of speed. The term "light motor car" is not used in the statutes.

The comprehensive term "mechanically propelled vehicles" (abbreviated to vehicles) is employed in the Roads Act, 1920. The term is not defined in that Act. That Act and the Regulations made thereunder provide the code for the licensing of locomotives and motor cars, and as this code is of recent date and effects many changes in the law attention is particularly directed thereto (see p. 217, *et seq.*).

The term "motor cycle" is nowhere defined in a statute. A motor cycle comes within the statutory definition of a motor car. Rules applying to motor cycles will, however, be found in the Finance Act, 1920, and the Roads Act, 1920, and the Regulations made thereunder.

"*Private Car*," "*Commercial Car*," "*Industrial Vehicle*."—There is no statutory definition of these terms. The distinction for purposes of Excise duty is drawn by the question: Does the vehicle fall under Parts 1 to 5 of the Second Schedule of the Finance Act, 1920? If not, it must be licensed at one pound per horse-power under Part 6 of that Schedule. (See p. 226 for rules for arriving at horse-power.)

THE LOCOMOTIVE ACT, 1861.

(24 & 25 Vict. c. 70.)

This Act does not apply to light locomotives (motor cars) except for the provisions of sections 7 and 13. See 59 & 60 Vict. c. 36, Schedule, p. 162.

By section 13 of the Locomotives Act of 1865 that Act and this Act are to be construed as one Act. See also section 2 of that Act.

4. It shall not be lawful for any waggon, wain, cart, or other carriage having cylindrical wheels to carry, over or above the weight of the waggon, wain, cart, or carriage, any greater weight than $1\frac{1}{2}$ tons for each pair of wheels, unless the fellies, tires, or shoes are 4 inches or more in breadth; nor to carry a greater weight than 2 tons for each pair of wheels, unless the fellies, tires, or shoes are 6 inches or more in breadth; not to carry a greater weight than 3 tons for each pair of wheels, unless the fellies, tires, or shoes are 8 inches or more in breadth; and for every single wheel one-half of that permitted to be

carried on a pair of wheels ; nor in any case to carry a greater weight than 4 tons on each pair of wheels, or 2 tons on each wheel ; but if such waggons, wains or other carriages are built and constructed with springs upon each axle, then they shall be allowed to carry one-sixth more weight in addition to the above-mentioned weights upon each pair of wheels. (Proviso as section 1 of Locomotives Act, 1898, *post*, p. 163.)

6. It shall not be lawful for the owner or driver of any locomotive to drive it over any suspension bridge nor over any bridge on which a conspicuous notice has been placed, by the authority of the surveyor or persons liable to the repair of the bridge, that the bridge is insufficient to carry weights beyond the ordinary traffic of the district, without previously obtaining the consent of the surveyor of the road or bridge-master under whose charge such bridge shall be for the time being, or of the persons liable to the repair of such bridge ; and in case such owner of the locomotive and surveyor of the road or bridge, or bridge-master, shall differ in opinion as to the sufficiency of any bridge to sustain the transit of the locomotive, then the question shall be determined by an officer to be appointed, on the application of either party, by one of His Majesty's Principal Secretaries of State, whose certificate of sufficiency of such bridge shall entitle the owner of the locomotive to take the same over such bridge.

Use over
bridges
restricted.

7. [Damage caused by locomotives to bridges to be made good by owners.] Damage.

This section does not apply to a county bridge. *R. v. Kitchener*, 2 C.C.R. 88 ; 38 J.P. 134.

10. [Exemption from tolls of waggons, &c., drawn by locomotive, where waggons drawn by animal power are now exempt under any general or local Act.] Toll exemp-
tion.

12. [Provisions of general Acts relating to highways to apply to locomotive] : Provided always, that the weight of every locomotive, and the name of the owner or owners thereof, shall be conspicuously and legibly affixed thereon ; and any owner not having affixed such weight and such name shall, upon conviction thereof before two justices, forfeit any sum not exceeding five pounds ; and any owner who shall fraudulently affix thereon any incorrect weight shall, upon conviction thereof, forfeit any sum not exceeding ten pounds.

Weight of
locomotive,
&c., to be
affixed.

See as to name 28 & 29 Vict. c. 83, s. 7, *post*, p. 155.

This section applies to steam rollers. *Waters v. Eddison Steam Rolling Co.*, 30 T.L.R. 587.

13. Nothing in this Act contained shall authorize any person to use upon a highway a locomotive engine which shall be so constructed or used as to cause a public or private nuisance ; and every such person so using such engine shall, notwithstanding this Act, be liable to an indictment or action, as the case may be, for such use, where, but for the passing of this Act, such indictment or action could be maintained.

Indictment
or right of
action in
case of
nuisance.

Persons using a traction engine and trucks on a highway may be indicted for a nuisance if they create an obstruction, and occasion delay and inconvenience to the public substantially greater than would arise from the use of carts and horses. The owners are responsible for the general management of the engine by their servants. *R. v. Chittenden*, 49 J.P. 503.

THE LOCOMOTIVES ACT, 1865.

(28 & 29 Vict. c. 83.)

This Act does not apply to light locomotives (motor cars). See Schedule of 59 & 60 Vict. c. 36.

This Act is kept in force by the Expiring Laws Continuance Act.

1. [Expiration of Act, 1867.]

Repeal.

2. [So long as Act continues in force, sections 5, 9, 11, 15 of the Locomotives Act, 1861, and all orders made in pursuance of section 5 of that Act, are repealed.]

Manner of working locomotives.

3. Every locomotive propelled by steam or any other than animal power on any turnpike road or public highway shall be worked according to the following rules and regulations, viz. :—

* * * * *

Space.

3rdly, the drivers of such locomotives shall give as much space as possible for the passing of other traffic :

Whistle.

4thly, the whistle of such locomotive shall not be sounded for any purpose whatever, nor shall the cylinder taps be opened, within sight of any person riding, driving, leading, or in charge of a horse upon the road ; nor shall the steam be allowed to attain a pressure such as to exceed the limit fixed by the safety valve, so that no steam shall blow off when the locomotive is upon the road :

Stopping.

5thly, every such locomotive shall be instantly stopped, on the person preceding the same, or any other person with a horse, or carriage drawn by a horse, putting up his hand as a signal to require such locomotive to be stopped :

Lights.

6thly, any person in charge of any such locomotive shall provide two efficient lights to be affixed conspicuously, one at each side on the front of the same, . . .

Non-compliance with rules.

In the event of a non-compliance with any of the provisions of this section the owner of the locomotive shall, on summary conviction thereof before two justices, be liable to a penalty not exceeding ten pounds ; . . .

This section is printed as amended by 61 & 62 Vict. c. 29.

Penalties when recovered in a police court are payable to the Receiver under 2 & 3 Vict. c. 71, s. 47.

Any locomotive which comes within this section, or waggon drawn by such locomotive, is exempt from the provisions of the Lights on Vehicles Act, 1907, 7 Edw. 7, c. 45, s. 5, p. 52.

In the case of a heavy traction engine, it was decided that the rule numbered *thirdly* applies at all times, and that no matter whether there is passing traffic or not a heavy locomotive must keep to the left side of the road (see p. 82). *Tait v. Robert Trotter & Son*, 54 Sc. L.R., 1917, 298.

The lights provided for in the rule numbered *sixthly* are to be fixed approximately to indicate the width of the vehicle (*ibid.*).

Speed of locomotives.

4. Subject and without prejudice to the regulations hereinafter authorized to be made by local authorities, it shall not be lawful to drive any such locomotive along any turnpike road or public highway at a greater speed than 4 miles an hour, or through any city, town, or village at a greater speed than 2 miles an hour : and any person acting contrary thereto shall for every such offence, on summary conviction thereof, forfeit any sum not exceeding ten pounds.

Penalties when recovered in a police court are payable to the Receiver under 2 & 3 Vict. c. 71, s. 47.

6. Any provision in any Act contained prohibiting, under penalty, the erection and use of any steam engine, gin, or other like machine, or any machinery attached thereto, within the distance of 25 yards from any part of any turnpike road, highway, carriageway, or cartway, unless such steam engine, gin, or other like engine or machinery be within some house or other building, or behind some wall, fence, or screen sufficient to conceal or screen the same from such turnpike road, highway, carriageway, or cartway, shall not extend to prohibit the use of any locomotive steam engine for the purpose of ploughing within such distance of any such turnpike road, highway, carriageway, or cartway. Provided that a person shall be stationed in the road and employed to signal the driver when it shall be necessary to stop, and to assist horses, and carriages drawn by horses, passing the same, and provided the driver of the engine do stop in proper time.

Use of steam engines within 25 yards of road not to apply to locomotives used for ploughing purposes.

See Locomotive Threshing Engines Act, 1894, p. 160, exempting threshing engines from this provision.

7. [The name and residence of the owner of every locomotive to be affixed thereto in a conspicuous manner. Penalty, two pounds.]

Name and residence of owner to be affixed to locomotives. Embankment.

11. [Section 41 of the Thames Embankment Act, 1862, 25 & 26 Vict. c. 93, not to be affected.]

That section is as follows: "It shall not be lawful for any person to use a locomotive engine propelled by steam along the streets or roadways constructed under the provisions of this Act." But now by 59 & 60 Vict. c. 36, s. 1 (1), light locomotives are exempted from section 41.

12. Nothing in this Act contained shall authorize any person to use a locomotive which may be so constructed or used as to be a public nuisance at common law, and nothing herein contained shall affect the right of any person to recover damages in respect of any injury he may have sustained in consequence of the use of a locomotive.

Saving as to actions at law.

This section preserves the common law right to compensation for damage by fire caused by sparks escaping from a steam traction engine. *Powell v. Fall*, 5 Q.B.D. 597.

13. [Short title, "The Locomotives Act, 1865," The Locomotive Act, 1861, and this Act to be construed as one Act.]

Construction.

THE HIGHWAYS AND LOCOMOTIVES (AMENDMENT) ACT, 1878.

(41 & 42 Vict. c. 77.)

PART II.

This part of this Act does not apply to light locomotives (motor cars). See Schedule of 59 & 60 Vict. c. 36.

28. . . . It shall not be lawful to use on any . . . highway a locomotive constructed otherwise than in accordance with the following provisions; (that is to say,)

Weight of locomotives and construction of wheels.

- (1) A locomotive not drawing any carriage, and not exceeding in weight 3 tons, shall have the tires of the wheels thereof not less than 3 inches in width, with an additional inch for every ton or fraction of a ton above the first 3 tons; and
- (2) A locomotive drawing any waggon or carriage shall have the tires of the driving wheels thereof not less than 2 inches in width for every ton in weight of the locomotive, unless the diameter

of such wheels shall exceed 5 feet, when the width of the tires may be reduced in the same proportion as the diameter of the wheels is increased, but in such case the width of such tires shall not be less than 14 inches ; and

- (3) A locomotive shall not exceed 9 feet in width or 14 tons in weight, except as hereinafter provided ; and
- (4) [The driving wheels of a locomotive shall be cylindrical and smooth-soled, or shod with diagonal cross-bars of not less than 3 inches in width nor more than three-quarters of an inch in thickness extending the full breadth of the tire, and the space intervening between each such cross-bar shall not exceed 3 inches.]

See note and Order at end of this section.

The owner of any locomotive used contrary to the foregoing provisions shall for every such offence be liable to a fine not exceeding five pounds :

Provided that the mayor, aldermen, and commons in the City of London, the Metropolitan Board of Works in the Metropolis, exclusive of the City of London, and the council of any borough which has a separate court of quarter sessions, and the county authority of any county, may, on the application of the owner of any locomotive exceeding 9 feet in width or 14 tons in weight, authorize such locomotive to be used on any . . . highway within the areas respectively above mentioned, or part of any such road or highway, under such conditions (if any) as to them may appear desirable :

Provided also, that the owner of a locomotive used contrary to the provisions of subsection 2 of this section shall not be deemed guilty of an offence under this section if he proves to the satisfaction of the court having cognizance of the case that such locomotive was constructed before the passing of this Act, and that the tires of the wheels thereof are not less than 9 inches in width.

The section now repealed of the Act of 1861 was similar to the subsection now enacted but provided "that the wheels should be cylindrical and smooth-soled, or used with shoes or other bearing surface of a width of not less than 9 inches." It was *held* that this required that there shall be one uniform uninterrupted line of pressure (of 9 inches) from side to side of the wheel, and that this condition should be continuous throughout the whole circumference. *Body v. Jeffery*, 3 Ex. D. 95, 47 L.J.M.C. 69, going beyond, *Stringer v. Sykes*, 46 L.J.M.C. 139 ; and that it was a question of fact for the justices as to what are shoes, and whether they are of the required width, *Edmunds v. Savin*, 26 W.R. 755.

By the Act of 1896, s. 9, p. 162, power was given to vary the requirements of subsection (4) above, and they may be varied from time to time by the Ministry of Transport. The maximum weight of 14 tons may be varied under the Roads Act, 1920, s. 15 (p. 215), and different weights may be prescribed for different classes of locomotives. See para. 36 of the Road Vehicles Regulations, 1921, at p. 225.

Order, 1903,
No. 1003.

An Order dated 21st November, 1903, and numbered 1003, was made by the Local Government Board, which modifies subsection (4) above. It is as follows :—

Driving
wheels.

A locomotive may be used the driving wheels of which, instead of being smooth-soled or shod with diagonal cross-bars, are shod with wooden blocks, subject to the following conditions :—

1. The width of each block, when the said width is measured along the circumference of the wheel, shall be not less than 6 inches.

2. The width of each block, when the said width is measured across the circumference of the wheel, shall be not less than 6 inches :

Provided that if the width prescribed by subsection (1) or subsection (2) of section 28 of the Highways and Locomotives Amendment Act, 1878, for the tire of the driving wheels exceeds 18 inches, the width of any block, when the said width is measured across the circumference of the wheel, shall not be less than the width prescribed by such of the following rules as may be applicable to the circumstances of the case, that is to say,—

If the width of the tire does not exceed 20 inches, the width of the block shall be $6\frac{1}{2}$ inches.

If the width of the tire exceeds 20 inches but does not exceed 22 inches, the width of the block shall be 7 inches.

If the width of the tire exceeds 22 inches but does not exceed 26 inches, the width of the block shall be 8 inches.

If the width of the tire exceeds 26 inches but does not exceed 28 inches, the width of the block shall be $8\frac{1}{2}$ inches.

3. The interval between any two blocks, when the said interval is measured along the circumference of the wheel, shall be not more than 2 inches.
4. The blocks shall be arranged in two or more rows, and so that a straight line drawn through the middle of each block shall pass through the middle of the interval between the blocks of the next row.
5. The blocks shall work on efficient springs or other elastic material, so as to yield with the pressure of the weight of the locomotive, but not so that the surface of the wood block shall be at any time level with or depressed below the tire of the wheel.
6. No wheel shall be used any block of which is so worn that any metal rim surrounding the block protrudes beyond the surface of the block.

By a further Order dated 7th August, 1905, the foregoing requirements have been further varied as follows :—

Further
Order,
7th August,
1905,
No. 930.

A locomotive may be used every driving wheel of which, instead of being smooth-soled or shod with diagonal cross-bars, shall be constructed so that its contact with the surface of the ground shall be by means of a single row of movable feet protruding from the circumference of the wheel, and at equal distances throughout that circumference, and so that the wheel and each foot and every fitting, part, attachment, or adjunct of the wheel or foot shall, as regards construction, mechanism, dimensions, method of working, and other details, satisfy such of the following conditions as apply to the particular case :—

CONDITIONS.

Foot.

1. Every foot shall be fitted with a shoe.

Foot.

Shoe.

2. The shoe shall be of metal, and its shape, construction, and fitting shall be of such as to obviate contact with the surface of the ground by any other part than the sole.

Shoe.

Sole.

Sole

3. The sole may be formed of—

- (a) Metallic material ; or
- (b) Non-metallic material.

The sole may also be formed of a combination of metallic material and of non-metallic material, but, in that case, the metallic material shall not, in any part of the outer bearing surface of the sole, project beyond the non-metallic material, and the non-metallic material shall be soft.

Material shall be deemed to be unsuitable for a sole, and a sole shall not be used, where the material—

- (a) if non-metallic, is not, except as regards the outer bearing surface of the sole, completely surrounded and held fast by a metallic band forming part of the shoe ; or
- (b) by defective fitting or otherwise causes or facilitates suction by the shoe when the foot ascends ; or
- (c) if metallic, has in any part of the outer bearing surface a projection.

The shape of the sole may be rectangular, circular, or elliptical.

Where the sole is rectangular, and all the sides are equal, the length of each side shall be not less than 6 inches.

Where the sole is rectangular and all the sides are not equal, the length of each of the lesser sides shall be not less than 6 inches.

Where the sole is circular, the diameter shall be not less than 7 inches ; and

Where the sole is elliptical, the minor axis shall be not less than $6\frac{1}{2}$ inches.

The area of the outer bearing surface of the sole shall be after the rate of not less than 60 square inches for each ton comprised in the total weight borne by the sole when the whole area of the outer bearing surface of the sole is in contact with the ground and when the locomotive is unladen.

Mechanism.

Mechanism.

4. The internal and external mechanism of the wheel and the method of attachment of the foot and shoe to the internal mechanism of the wheel, and every fitting, part, or adjunct of the wheel or of the foot or of the shoe shall be at all times such, and shall be so maintained, adjusted, and used as to work and to cause the foot and shoe to work so that—

- (a) There shall, so far as is practicable, be an entire absence of jar or vibration ;
- (b) The velocity of the shoe shall decrease as it comes in contact with the surface of the ground ;
- (c) There shall, so far as is practicable, be not less than two shoes in contact with the surface of the ground at one and the same time ;
- (d) The shoe shall not slide sideways on the surface of the ground ;
- (e) The shoe when it comes in contact with the surface of the ground shall, as far as may be practicable, come in contact evenly throughout the entire surface of the

sole, and so that the outer bearing surface of the sole shall adjust itself to any slope or inequality of the surface of the ground :

- (f) The shoe when in contact with the surface of the ground shall not rotate, turn, or pivot ;
- (g) The shoe when in contact with the surface of the ground shall not move until it ceases to bear any part of the load ;
- (h) Generally the action of the wheel, of the foot and of the shoe and of every part of the mechanism or apparatus connected with the wheel, the foot, or the shoe shall be such as to obviate pounding, disturbance, or damage of a highway by the wheel, or by the foot, or by the shoe or by any part of the mechanism or apparatus connected with the wheel, the foot, or the shoe.

The foregoing orders do not affect the requirements of section 28 above except those contained in subsection (4) ; the other requirements of that section must still be complied with.

30. . . . Every locomotive used on any . . . highway shall be constructed on the principle of consuming its own smoke ; and any person using any locomotive not so constructed, or not consuming, so far as practicable, its own smoke, shall be liable to a fine not exceeding five pounds for every day during which such locomotive is used on any such . . . highway.

Steam locomotives to be constructed so as to consume their smoke.

When a *prima facie* case is made out and it is proved that black smoke issued from an engine, the onus of proof lies on the defendant of showing that the engine was constructed "as far as possible" to consume its own smoke. *Pitt-Rivers v. Glasse*, 90 L.T.N. 149 ; 55 J.P. 663.

See the cases of *Star Omnibus Co. (London) v. Tagg*, and *R. v. Wilbraham*, noted, *post*, p. 161.

33. This part of this Act shall remain in force so long only as the Locomotives Act, 1865, continues in force.

Duration of Part II of Act.

Continued by Expiring Laws Continuance Act.

PART III.

36. All offences, fines, and expenses under this Act, or any bye-laws made in pursuance of this Act, may be prosecuted, enforced, and recovered before a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts.

Recovery of penalties and expenses.

* * * * *

The expression "court of summary jurisdiction" means and includes any justice or justices of the peace, metropolitan police magistrate, stipendiary, or other magistrate, or officer, by whatever name called, to whom jurisdiction is given by the Summary Jurisdiction Acts :

Provided that the court, when hearing and determining an information or complaint under this Act, shall be constituted either of two or more justices in petty sessions, sitting at a place appointed for holding petty sessions, or of some magistrate or officer sitting alone or with others at some court or other place appointed for the administration of justice, and for the time being empowered by law to do alone any act authorized to be done by more than one justice of the peace.

37. [Appeal to the next practicable court of quarter sessions.]

38. In this Act—

“County” has the same meaning as it has in the Highway Acts, 1862 and 1864, except that every liberty not being assessable to the county rate of the county or counties within which it is locally situate shall, for the purposes of this Act other than those relating to the formation and alteration of highway districts, and the transfer of the powers of a highway board, be deemed to be a separate county :

“County Authority” means the justices of a county in general or quarter sessions assembled :

“Borough” means any place for the time being subject to 45 & 46 Vict. c. 50 and the Acts amending the same.

* * * * *

“Quarter Sessions” includes general sessions :

* * * * *

“Locomotive” means a locomotive propelled by steam or by other than animal power :

“Person” includes a body of persons corporate or unincorporate.

THE LOCOMOTIVE THRESHING ENGINES ACT, 1894.

(57 & 58 Vict. c. 37.)

Threshing engines to be exempt from previous penalties and restrictions.

2. Any provision in any Act contained prohibiting under penalty the erection and use of any steam engine, gin, or other like machine or any machinery attached thereto within the distance of 25 yards from any part of any turnpike road, highway, carriageway, or cartway, unless such steam engine, gin, or other like engine or machinery be within some house or other building, or behind some fence, wall, or screen sufficient to conceal or screen the same from such turnpike road, highway, carriageway, or cartway, shall not extend to prohibit the use of any locomotive steam engine or any machinery attached thereto for the purpose of threshing within such distance of any such turnpike road, highway, carriageway, or cartway, provided that a person is stationed on the road and employed for the purpose of signalling the driver of the engine whenever it is necessary to stop the engine on account of the approach of a horse and of rendering assistance to the person in charge of the horse and that the driver of the engine stops the same when so signalled.

THE LOCOMOTIVES ON HIGHWAYS ACT, 1896.

(59 & 60 Vict. c. 36.)

Exemption of light locomotives from certain statutory provisions.

1.—(1) The enactments mentioned in the schedule to this Act, and any other enactment restricting the use of locomotives on highways and contained in any public general or local and personal Act in force at the passing of this Act, shall not apply to any vehicle propelled by mechanical power if it is under *seven and a quarter* tons in weight unladen, and is not used for the purpose of drawing more than one vehicle (such vehicle with its locomotive not to exceed in weight

unladen *nine and three-quarter tons*), and is so constructed that no smoke or visible vapour is emitted therefrom except from any temporary or accidental cause; and vehicles so exempted, whether locomotives or drawn by locomotives, are in this Act referred to as light locomotives.

Provided that—

- (a) the council of any county or county borough shall have power to make bye-laws preventing or restricting the use of such locomotives upon any bridge within their area, where such council are satisfied that such use would be attended with damage to the bridge or danger to the public : Bye-laws.
- (b) a light locomotive shall be deemed to be a carriage within the meaning of any Act of Parliament, whether public, general, or local, and of any rule, regulation, or bye-law, made under any Act of Parliament, and, if used as a carriage of any particular class shall be deemed to be a carriage of that class, and the law relating to carriages of that class shall apply accordingly. Light locomotive is a carriage.

(2) [Repealed by Roads Act, 1920.]

The limits of weight in the Act were 3 and 4 tons. By section 12 of the Motor Car Act, 1903 (p. 173), power is given to alter these limits by Order. By the Heavy Motor Car Order, 1904, 1921 (p. 182), the limits are now $7\frac{1}{2}$ and $9\frac{1}{2}$ tons, as printed above in italics. See *Evans v. Nicholl*, [1909] 1 K.B. 778.

The effect of this enactment, subsections (1) (b), is to bring motor omnibuses within the Acts and Regulations relating to Public and Stage Carriages, see *post*, pp. 246–254.

A motor omnibus under 5 tons in weight emitted quantities of a blue-coloured smoke. It was driven by petrol, and the engine was normally smokeless. The smoke arose from the lubricating oil which was used in excess, through the driver's negligence. The owner was charged under section 30 of 41 & 42 Vict. c. 77 (*ante*, p. 159). *Held*, that the above section protected the owner, and that, apart from such protection, section 30 of 41 & 42 Vict. c. 77 did not apply to smoke from lubricating oil. *Star Omnibus Co. (London) v. Tagg*, 97 L.T. 481; 71 J.P. 352.

Where the emission of smoke on a single occasion is due merely to some temporary cause, such as carelessness, and not to the construction of the machine, this section applies. No offence is committed in such a case against section 30 of the Act of 1878. *R. v. Wilbraham, ex parte Rowcliffe*, 96 L.T. 712; 71 J.P. 336.

The manner in which the weight unladen of a vehicle is to be calculated is now laid down by section 7 (6) of the Roads Act, 1920.

2. During the period between one hour after sunset and one hour before sunrise, the person in charge of a light locomotive shall carry attached thereto a lamp so constructed and placed as to exhibit a light in accordance with the regulations to be made by the *Ministry of Transport*. Regulations as to lights.

Any light locomotive or motor car which has to carry a light under this section, or under the regulations made thereunder, is exempt from the operation of the Lights on Vehicles Act, 1907. 7 Edw. 7, c. 45, s. 5, *ante*, p. 52.

See case of *Provincial Motor Cab Co. v. Dunning*, [1909] 2 K.B. 599.

3. Every light locomotive shall carry a bell or other instrument capable of giving audible and sufficient warning of the approach or position of the carriage. Locomotives to carry a bell.

5. The keeping and use of petroleum or of any other inflammable liquid or fuel for the purpose of light locomotives shall be subject to regulations made by a Secretary of State, and regulations so made Use of petroleum, &c.

shall have effect notwithstanding anything in the Petroleum Acts, 1871 to 1881.

Ministry of
Transport
Regulations.

6.—(1) The *Ministry of Transport* may make regulations with respect to the use of light locomotives on highways, and their construction, and the conditions under which they may be used.

(2) Regulations under this section may, if the *Ministry of Transport* deem it necessary, be of a local nature and limited in their application to a particular area, and may, on the application of any local authority, prohibit or restrict the use of locomotives for purposes of traction in crowded streets, or in other places where such use may be attended with danger to the public.

All regulations under this section shall have full effect notwithstanding anything in any other Act, whether general or local, or any bye-laws or regulations made thereunder.

Every regulation purporting to be made in pursuance of this section shall be forthwith laid before both Houses of Parliament.

This section is extended to making regulations as to speed in cases of motor cars of more than 2 tons weight unladen. 3 Edw. 7, c. 36, s. 12 (2), p. 173.

See note to section 1 above, and the Heavy Motor Car Order, p. 182.

Penalties.

7. A breach of any bye-law or regulation made under this Act, or of any provision of this Act, may, on summary conviction, be punished by a fine not exceeding ten pounds.

Construction
of wheels of
locomotives
on roads.

9. The requirements of subsection (4) of section 28 of the Highways and Locomotives Amendment Act, 1878, may be from time to time varied by order of the *Ministry of Transport*.

SCHEDULE.

Enactments which are not to apply to Light Locomotives.

The Locomotive Act, 1861 (24 & 25 Vict. c. 70) except so much of section 1 as relates to tolls on locomotives, and sections 7 and 13.

Section 41 of the Thames Embankment Act, 1862 (25 & 26 Vict. c. 93).

The Locomotives Act, 1865 (28 & 29 Vict. c. 83).

The Locomotives Amendment (Scotland) Act, 1878 (41 & 42 Vict. c. 58).

Part II of the Highways and Locomotives (Amendment) Act, 1878 (41 & 42 Vict. c. 77).

Section 6 of the Public Health (Ireland) Amendment Act, 1879 (42 & 43 Vict. c. 57).

THE LOCOMOTIVES ACT, 1898.

(61 & 62 Vict. c. 29).

This Act does not concern light locomotives (motor cars). See section 17 below.

Weight
carried by
waggons.
24 & 25 Vict.
c. 70.

1.—(1) The council of a municipal borough as regards any highway situated in the borough, and the county council as regards any highway situated in their county but not in a borough, may permit any waggons drawn or propelled by a locomotive on the highway to carry weights in excess of those mentioned in section 4 of the Locomotive Act, 1861.

(2) If any person without such permission uses any waggon drawn or propelled by a locomotive on any highway to carry weights in excess of those mentioned in section 4 of the Locomotive Act, 1861, as amended by this Act, or, being the owner of the waggon, permits it so to be used, that person shall be liable for each offence, on summary conviction, to a fine not exceeding ten pounds.

(3) The proviso to section 4 of the Locomotive Act, 1861, is hereby repealed, and in lieu thereof it is enacted as follows :—

Provided that the regulation of weight herein mentioned shall not extend to any waggon carrying only one block, plate, cable, roll, vessel of stone or metal, or other single article, being of greater weight than 16 tons, but the fellies, tires, or shoes of such waggon shall not be less than 8 inches in breadth, and any damage arising from the user of any such waggon shall be deemed to be damage caused by excessive weight within the meaning of section 23 of the Highways and Locomotives (Amendment) Act, 1878, as amended by this Act.

41 & 42 Vict.
c. 77.

Penalties when recovered in a metropolitan police court are payable to the Receiver under 2 & 3 Vict. c. 71, s. 47.

See note to section 17 of this Act.

2.—The weight unloaded of every waggon drawn or propelled by a locomotive shall be conspicuously and legibly affixed thereon, and every owner not having affixed such weight shall be liable for each offence, on summary conviction, to a fine not exceeding five pounds, and any owner who shall fraudulently affix thereon any incorrect weight shall be liable for each offence, on summary conviction, to a fine not exceeding ten pounds.

Weight of
waggons to
be affixed
thereon.

Penalties when recovered in a metropolitan police court are payable to the Receiver under 2 & 3 Vict. c. 71, s. 47.

3.—(1) A locomotive shall not be used on any highway to draw more than three loaded waggons (exclusive of any waggon solely used for carrying water for the locomotive) without the consent, so far as regards highways, situated in a municipal borough, of the council of the borough, and, so far as regards highways, not so situated of the county council.

Limit to
number of
waggons.

(2) If any person uses a locomotive in contravention of this section, or being an owner of a locomotive permits it to be so used, that person shall be liable for each offence, on summary conviction, to a fine not exceeding ten pounds.

Penalties when recovered in metropolitan police courts are payable to the Receiver under 2 & 3 Vict. c. 71, s. 47.

4.—(1) Road authorities shall have power to erect in their districts machines for weighing locomotives and loaded waggons drawn by them, and shall have power by their servants to require the persons in charge of such locomotives and waggons to proceed thither for the purpose of having such locomotives and waggons weighed: Provided that the road authority making such requirement shall pay for any loss caused by the delay if the weight should be found to be within the limits authorized by law, and that any person in charge of a locomotive who refuses or neglects to comply with any such requirement shall be liable for each offence, on summary conviction, to a fine not exceeding ten pounds.

Erection and
use of
weighing
machines.

(2) Where a road authority and the engine owner fail to agree as to the amount of compensation to be paid under this section, the

52 & 53 Vict. differences between them shall be settled by arbitration under the Arbitration Act, 1889.
c. 49.

Where a road authority weighs locomotives and waggons under this section, a certificate of weight shall be given which shall exempt such locomotives and waggons from being weighed during the continuance of that journey.

(3) For the purposes of this section the council of any county borough and any district council may borrow under and subject to the provisions of the Public Health Act, 1875.
38 & 39 Vict. c. 55.

Penalties when recovered in metropolitan police courts are payable to the Receiver under 2 & 3 Vict. c. 71, s. 47.

Regulations
for locomotives
passing
on highways.

5.—(1) When a locomotive is passing on any highway—

(a) two persons shall be employed in driving or attending to the locomotive ; and

(b) in the case of any locomotive not being a steam roller another person shall be employed to accompany the locomotive in such a manner as to be able to give assistance to any person with horses or carriages drawn by horses meeting or overtaking the locomotive, and shall give such assistance when required ; and

Under a similar provision a boy has been held in Scotland not to be a " person." *Smith v. Wood*, [1882] 10 R.J.C. 31, 33.

A person leading a pony and trap may be a sufficient attendant. *Davis v. Browne*, [1879] 43 J.P. 416.

(c) when a locomotive is drawing more than three waggons, another person shall be employed for the purpose of attending to the waggons :

Provided that it shall not be necessary in the case of two locomotive plough engines (including their necessary gear) closely following one another, to employ more than five persons in all under the foregoing enactment, but one of these persons shall be employed to accompany the engines and give assistance in manner thereby required.

In *Williams v. Wood*, [1914] W.N. 135, there was a mixed train of locomotives and waggons, and the number of men necessary to accompany such a train was discussed.

(2) So long as the fires of a locomotive are alight, or the locomotive contains in itself sufficient motive power to move it, one person shall remain in attendance whilst it is on any highway, although it is stationary.

Lights.

(3) The lights required to be carried on a locomotive, whether stationary or passing on any highway, shall be carried between the hours of one hour after sunset and one hour before sunrise during the six months beginning the 1st day of April in any year, and between sunset and sunrise during the six months beginning the first day of October in any year, and there shall be carried in addition during those hours an efficient red light on the rear of the locomotive, or if it is drawing waggons on the rear of the last waggon, fixed in such a manner as to be conspicuous.

(4) Every light carried on a locomotive, or on a waggon drawn by a locomotive, shall be fitted with such shutters or other contrivances as will enable the light to be temporarily screened in an effective manner.

(5) If any of the provisions of this section are not complied with in the case of any locomotive, the owner of the locomotive shall be liable for each offence, on summary conviction, to a fine not exceeding ten pounds.

Penalties when recovered in a metropolitan police court are payable to the Receiver under 2 & 3 Vict. c. 71, s. 47.

6.—(1) The council of a county and of any borough containing, according to the census of 1881, a population of 10,000 or upwards, may by bye-law—

Restriction of locomotive traffic by bye-law.

- (a) prohibit or restrict the use of locomotives on any specified highway in their county or borough on account of the highway being crowded or unfitted for locomotive traffic, or of the inconvenience caused to inhabitants, or of any other reasonable cause; and
- (b) regulate the use of locomotives and of waggons drawn by locomotives on any highway; and
- (c) prohibit or restrict the use of a locomotive on any specified bridge in their county or borough, if they are satisfied that such bridge is unsuited for locomotive traffic, or that such use would be attended with damage to the bridge or danger to the public.

Provided that the council of any such county or borough may, where their bye-law prohibits the use of locomotives on any highway, give special authority for the use of a locomotive on the highway, if in any case it appears necessary for the purpose of the delivery of goods or for any other particular purpose. Provided also that the council of any such county or borough shall not give any such special authority for the use of a locomotive on any bridge except with consent of the person liable to the repair of such bridge, and the council of any such county or borough may with such consent give such special authority subject to payment being made by the person applying for such special authority to the person liable to the repair of such bridge of the cost of temporarily strengthening such bridge on each occasion of such use.

A bye-law requiring a locomotive, drawing two or more waggons on a highway, to have a cord or other efficient means of communication extending from the rearmost waggon to such locomotives has been held to be valid. *Morgan v. Ennion*, 18 L.G.R. 401.

(2) If any person in charge of a locomotive acts in contravention of any bye-law under this section, and without any such special authority, he shall be liable for each offence, on summary conviction, to a fine not exceeding five pounds.

Penalties when recovered in metropolitan police courts are payable to the Receiver under 2 & 3 Vict. c. 71, s. 47.

(3) [Provision for confirmation of bye-laws by the *Ministry of Transport*.]

(4) The *Ministry of Transport* in connection with the confirmation of any bye-law under this section shall have all proper regard to the necessities of through locomotive traffic, and of persons who own or use locomotives, and shall consider any representations made to them by any local authority concerned, and shall also have regard to the advantage of bye-laws being uniform in adjoining areas except where uniformity is, in their opinion, made inexpedient by differences in the circumstances of the areas.

(5) The mayor, aldermen, and commons of the City of London may make bye-laws under this section as to the City of London in the same manner as the council of a borough.

(6) For the purpose of bye-laws under this section, a borough, the council of which may make such bye-laws, shall not form part of the administrative county in which it is situate.

Locomotives
not to meet
on a bridge.

8. No locomotive shall be taken across any bridge so as to meet or pass any other locomotive upon such bridge, and any person who acts in contravention of this section shall be subject, on summary conviction, to a penalty not exceeding five pounds for every offence.

Penalties when recovered in metropolitan police courts are payable to the Receiver under 2 & 3 Vict. c. 71, s. 47.

9. [Sections 9, 10, 11 repealed by Roads Act, 1920.]

Amend-
ments as to
proceedings
for extra-
ordinary
traffic
damage.

12. Section 23 of the Highways and Locomotives (Amendment) Act, 1878 (which relates to the recovery of expenses of extraordinary traffic), shall be amended as follows:—

- (a) Expenses under that section shall cease to be recoverable in a summary manner, but may be recovered if not exceeding two hundred and fifty pounds in the County Court, and if exceeding that sum in the High Court.
- (b) Proceedings for the recovery of any expenses incurred after the passing of this Act shall be commenced within twelve months of the time at which the damage has been done, or where the damage is the consequence of any particular building contract, or work extending over a long period, shall be commenced not later than six months after the completion of the contract or work.
- (c) There shall be substituted for the words "by whose order" the words "by or in consequence of whose order."

Power of
owner of
locomotive
to exempt
himself from
fine on the
conviction of
the actual
offender.

13.—(1) Where an offence under any Act or bye-law relating to locomotives on highways, for which the owner of a locomotive or waggon is liable to a penalty, has, in fact, been committed by some servant, workman, or other person, that servant, workman, or other person shall be liable to the same penalty as if he were the owner.

(2) Where the owner is charged with any such offence, he shall be entitled upon information duly laid by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge, and if, after the commission of the offence has been proved, the owner proves to the satisfaction of the court that he had used due diligence to enforce the execution of the Act, and that the other person had committed the offence in question without the owner's knowledge, consent, or connivance, that other person shall be summarily convicted of the offence, and the owner shall be exempt from any fine.

Action of
county
councils.

14. For the purposes of this Act the council of a county or borough may act through their surveyor or other authorized officer.

Inquiries by
inspectors of
Ministry of
Transport.

15.—(1) The *Ministry of Transport* may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any of their powers under this Act, and the *Ministry* and their inspectors shall for the purposes of any such inquiry have the same powers as they respectively have for the purpose of an inquiry under the Public Health Act, 1875.

(2) The expenses incurred by the *Ministry of Transport* in respect of inquiries under this Act shall be paid by such authorities and persons, and out of such funds and rates as the *Ministry* may by order direct, and the *Ministry* may certify the amount of the expenses so incurred, and any sum so certified and directed by the *Ministry* to be paid by any authority or person shall be a debt from that authority or person to the Crown.

(3) Such expenses may include the salary of any inspector or officer of the *Ministry* engaged in the inquiry not exceeding three guineas a day.

17.—(1) In this Act, unless the context otherwise requires—

The expression “county” means an administrative county, and includes a county borough;

The expressions “council of a county” and “county council” include the council of a county borough;

In the case of a county borough the expression “chairman” includes the mayor, and the expression “county fund” includes borough fund;

The expression “locomotive” means a locomotive propelled by steam or other than animal power;

The expression “waggon” includes any truck, cart, carriage, or other vehicle;

Definition of Agricultural Locomotive repealed by Roads Act, 1920.

(2) Nothing in this Act shall affect light locomotives within the meaning of the Locomotives on Highways Act, 1896.

(3) The mayor, aldermen, and commons of the City of London shall have the same powers with regard to the licensing and registration of locomotives in the City of London as the council of a county have in their county, and shall apply as part of their income any fees or other money received in connection with such powers.

Fees and charges are no longer payable under section 17 (3) above, see section 14 of the Roads Act, p. 215.

The term “other vehicle” in the definition of “waggon” above includes a threshing engine, and is not confined to vehicles designed to carry and capable of carrying loads. Waggon apparently includes a scuffle or harrow fitted with wheels of its own and which can be used when required. *Williams v. Wood*, [1914] W.N. 135; *Smith & Sons v. Pickering*, [1915] 1 K.B. 326.

18.—(1) [Repeal of Acts in Schedule.]

(2) Provided that such repeal shall not affect any bye-laws made under any enactment mentioned in the said schedule, so far as the same relate to preventing the use of locomotives upon bridges, . . . except so far as the same may be repealed or altered by bye-laws made under this Act.

(3) [Repealed by Roads Act, 1920.]

Interpreta-
tion and
saving.

59 & 60 Vict.
c. 36.

Repeal.

THE MOTOR CAR ACT, 1903.

(3 Edw. 7, c. 36.)

The principal Act referred to in the following Act is 59 & 60 Vict. c. 31. See p. 160.

1.—(1) If any person drives a motor car on a public highway recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition, and use of the highway, and to the amount of traffic which actually is at the time, or which might reasonably be expected to be, on the highway, that person shall be guilty of an offence under this Act.

Reckless
driving.

Arrest.

(2) Any police constable may apprehend without warrant the driver of any car who commits an offence under this section within his view, if he refuses to give his name and address or produce his licence on demand, or if the motor car does not bear the mark or marks of identification.

False name and address.

(3) If the driver of any car who commits an offence under this section refuses to give his name or address, or gives a false name or address, he shall be guilty of an offence under this Act, and it shall be the duty of the owner of the car, if required, to give any information which it is within his power to give, and which may lead to the identification and apprehension of the driver, and if the owner fails to do so he also shall be guilty of an offence under this Act.

Driving a car "at a speed or in a manner which is dangerous to the public" is not one but two distinct offences. The conviction should not therefore be in these terms, *R. v. Wells*, 91 L.T. 98; [1904] 2 L.G.R. 913; but in *R. v. Jones*, [1921] 1 K.B. 632, such a conviction was held not to be bad for duplicity. See also *Beresford v. Richardson*, 37 T.L.R. 53; [1921] 1 K.B. 243, in which speed was coupled with other circumstances to constitute the offence.

Driving "recklessly" means recklessly as regards the public and not as regards those in the car or hanging on to it. *Troughton v. Manning*, 53 W.R. 493.

"Recklessly and negligently," the recklessness and negligence need not be flagrant, wilful, or morally blameworthy. *Waugh v. Campbell*, [1920] S.C. J. 1.

The summons of an owner under subsection (3), must state that the driver has committed an offence under the section. But it is not a condition precedent to the commission of an offence by the owner in refusing the driver's name and address that the driver himself shall have refused to give these particulars. *R. v. Hankey*, 69 J.P. 219.

In proceeding against an owner under subsection (3) it is only necessary to allege that the driver has committed an offence against subsection (1) without giving particulars as to which of the four offences therein named is alleged to have been committed. *Beecham ex parte*, [1913], 3 K.B. 45.

The appellant was convicted of having driven a motor car on a highway at a speed which was dangerous to the public "having regard to all the circumstances of the case." On an appeal to Quarter Sessions from such conviction evidence may be given as to the traffic that "might reasonably be expected to be on the highway" at the time. *Elwes v. Hopkins*, [1906] 2 K.B. 1.

The respondent was charged with an offence against subsection (1) above, and also with exceeding the speed limit contrary to section 9 below. The magistrate in considering the first charge took into account the excessive speed, exceeding the limit, as an element of danger. Held, he was right in declining to convict under section 9 for exceeding the speed limit. *Wellton v. Tanebourne*, 72 J.P. 419.

See also *Du Cros v. Lambourne* [1907] 1 K.B. 40, 70 J.P. 525.

2. [Repealed by Roads Act, 1920.]

Licensing of drivers.

3.—(1) A person shall not drive a motor car on a public highway unless he is licensed for the purpose under this section, and a person shall not employ any person who is not so licensed to drive a motor car.

If any person acts in contravention of this provision he shall be guilty of an offence under this Act.

(2) [Councils to grant a licence to drive a motor car to any person applying who resides in that county or county borough, unless the applicant is disqualified.]

(3) [Licences to remain in force for twelve months, but shall be renewable.]

(4) A licence must be produced by any person driving a motor car when demanded by a police constable. If any person fails so to produce his licence, he shall be liable, on summary conviction, in respect of each offence to a fine not exceeding five pounds. Production of licence.

(5) Any person under the age of seventeen years shall be disqualified for obtaining a licence (except that a licence limited to driving motor cycles may be granted to a person over the age of fourteen years), and any person who already holds a licence shall be disqualified for obtaining another licence while the licence so held by him is in force. Minimum age.

A driver was stopped by a constable for exceeding the speed limit. On demand he produced his licence, from which the constable ascertained his name. At the hearing of the information the driver was present in court, and it was objected on his behalf that, as no notice to produce the licence had been given, evidence of its contents could not be given. *Held*, that the justices were right in overruling the objection and admitting the evidence of the constable. *Marshall v. Ford*, 99 L.T. 796. Evidence of particulars taken by a constable from the licence produced to him by the driver is admissible without giving a notice to produce the licence. The production of the licence itself is evidence that the driver producing it is the person named therein. *Martin v. White*, [1910] 1 K.B. 665; 74 J.P. 106.

4.—(1) Any court before whom a person is convicted of an offence under this Act, or of any offence in connection with the driving of a motor car, other than a first or second offence, consisting solely of exceeding any limit of speed fixed under this Act— Suspension of licence and disqualification.

(a) may, if the person convicted holds any licence under this Act, suspend that licence for such time as the court thinks fit, and, if the court thinks fit, also declare the person convicted disqualified for obtaining a licence for such further time after the expiration of the licence as the court thinks fit; and

(b) may, if the person convicted does not hold any licence under this Act, declare him disqualified for obtaining a licence for such time as the court thinks fit; and

(c) if the person convicted holds any licence under this Act, *may* cause particulars of the conviction and of any order of the court made under this section, to be endorsed upon any licence held by him, and shall, *where any particulars are so endorsed*, cause a copy of those particulars to be sent to the council by whom any licence so endorsed has been granted. Endorsement of licence.

(Words in italics added by Roads Act, 1920.)

(2) Any person so convicted, if he holds any licence under this Act, shall, *if so required by the convicting court*, produce the licence within a reasonable time for the purposes of endorsement, and if he fails to do so shall be guilty of an offence under this Act.

(Words in italics added by Roads Act, 1920.)

(3) A licence so suspended by the court shall during the term of suspension be of no effect, and a person whose licence is suspended or who is declared by the court to be disqualified for obtaining a licence shall during the period of suspension or disqualification be disqualified for obtaining a licence.

(4) Any person who is by virtue of an order of the court under this section disqualified for obtaining a licence may appeal against the order in the same manner as a person may appeal who is ordered to be imprisoned without the option of a fine; and the court may, if they think fit, pending the appeal, defer the operation of the order. Appeal.

Wrongful
obtaining of
licence.

(5) If any person, who under the provisions of this Act is disqualified for obtaining a licence, applies for or obtains a licence while he is so disqualified, or if any person whose licence has been endorsed applies for or obtains a licence without giving particulars of the endorsement, that person shall be guilty of an offence under this Act, and any licence so obtained shall be of no effect.

An endorsed licence may be exchanged for a "clean" licence three years after endorsement, section 7 (3) of Roads Act, 1920. See p. 210.

"Any offence in connection with the driving of a motor car" does not include that of obstructing a highway by leaving the car thereon. (*R. v. Lyndon, ex parte Moffat*, 72 J.P. 227.) Those words refer to offences connected with the handling or manipulation of the car when driving it and do not include obstructing a highway contrary to Article IV of the Motor Car (Use and Construction) Order, 1904. *R. v. West Riding (Yorks) J.J., ex parte Shackleton*, [1910] 1 K.B. 439. An offence against the Order of Secretary of State under the Defence of the Realm (Consolidation) Act, 1914, which consisted in driving a car with lights that were too bright, is "an offence in connection with the driving of a motor car" within this section. *White v. Jackson*, [1915] W.N. 256.

The holder of a driver's licence who was convicted under D.O.R.A. for the use of petrol for a purpose other than purposes authorized was required to produce his licence for endorsement. *Simmons v. Pond*, 88 L.J. K.B. 857, 120 L.T. 124.

The words "any limit of speed" in subsection (1) include any limit of speed fixed under any Act of Parliament or by any legal authority. A conviction for a first offence of exceeding the 10 miles per hour speed limit under the Regulation made under the Parks Regulation Act, 1872, cannot be endorsed on the licence under subsection (1) (c). *R. v. Marham, ex parte Chamberlain*, 76 L.J. K.B. 1036. A conviction for a third or subsequent offence for exceeding the 10 miles per hour speed limit fixed by the Rules for Royal Parks, made 28th April, 1904, under the Parks Regulation Act, 1872, may be endorsed on the licence. *R. v. Plowden, ex parte Braithwaite*, [1909] 2 K.B. 269; 73 J.P. 266.

The offence of driving on a highway a motor car on which the number and mark are not marked in accordance with Regulations of the Local Government Board, now repealed, is an offence against the Act, and a conviction for such offence may be endorsed under subsection (1) above. *R. v. Gill, ex parte McKim*, 73 J.P. 290; compare also *Brown v. Crossley*, 104 L.T. 429.

The offence of driving without a light against the Motor Cars (Use and Construction) Order, 1904, is "an offence in connection with the driving of a motor car" within subsection (1) above. *Ex parte Symes*, 103 L.T. 428.

If the court does not "defer the operation of the order" under subsection (4) the suspension dates from the conviction and not from the dismissal of an appeal from a conviction, as the operation of the order is not suspended by the S.J. Acts. *Kidner v. Daniels*, 102 L.T. 132; 74 J.P. 127.

5. [Repealed by Roads Act, 1920.]

This section dealt with fraudulent use of licences. Driving licences are still issued under this Act. Consequently the power to proceed for fraudulent use of a driving licence is lost.

Duty to stop
in case of
accident.

6. A person driving a motor car shall, in any case, if an accident occurs to any person, whether on foot, on horseback, or in a vehicle, or to any horse or vehicle in charge of any person, owing to the presence of the motor car on the road, stop, and if required, give his name and address, and also the name and address of the owner and the registration mark or number of the car; and if any person knowingly acts in contravention of this section, he shall be liable, on summary conviction, in respect of the first offence to a fine not exceeding ten pounds, and in respect of the second offence to a fine not exceeding twenty pounds, and in respect of any subsequent offence to a fine not exceeding twenty pounds, or, in the discretion of the court, to a term of imprisonment not exceeding one month.

7.—(1) The *Ministry of Transport* may, under section 6 of the Locomotives on Highways Act, 1896 (in this Act referred to as the principal Act), make regulations—

Regulations
by Ministry
of Transport.
59 & 60 Vict.
c. 36.

- (b) with respect to the licences to be granted by the councils of counties or county boroughs under this Act, and in particular with respect to the register to be kept of those licences and the renewal of licences, and for providing special facilities for granting licences to persons not resident in the United Kingdom, and for communicating particulars thereof to adjoining and other county or county borough councils, and for making any particulars with respect to any persons whose licences are suspended or endorsed available for use by the police, and for preventing a person holding more than one licence.

(For Regulations now made see p. 174.)

(2) The councils of counties and county boroughs shall comply with any regulations so made by the *Ministry of Transport*, and may if authorized by those regulations and in accordance therewith charge in respect of the issue of a new licence in the place of a licence lost or defaced such fee not exceeding one shilling as may be prescribed by the regulations.

(As amended by Roads Act, 1920.)

8. [Superseded by section 7 of the Roads Act, 1920.]

9.—(1) Section 4 of the principal Act (which relates to the rate of speed of motor cars) is hereby repealed, but a person shall not, under any circumstances, drive a motor car on a public highway at a speed exceeding 20 miles per hour, and, within any limits or place referred to in regulations made by the *Ministry of Transport* with a view to the safety of the public on the application of the local authority of the area in which the limits or place are situate, a person shall not drive a motor car at a speed exceeding 10 miles per hour.

Rate of
speed.

If any person acts in contravention of this provision he shall be liable, on summary conviction, in respect of the first offence to a fine not exceeding ten pounds, and in respect of the second offence to a fine not exceeding twenty pounds, and in respect of any subsequent offence to a fine not exceeding fifty pounds, but a person shall not be convicted under this provision for exceeding the limit of speed of 20 miles merely on the opinion of one witness as to the rate of speed.

Fines.

(2) Where a person is prosecuted for an offence under this section, he shall not be convicted unless he is warned of the intended prosecution at the time the offence is committed, or unless notice of the intended prosecution is sent to him or to the owner of the car as entered on the register within such time after the offence is committed, not exceeding twenty-one days, as the court think reasonable.

Notice,
warning.

(3) The *Ministry of Transport* may, without any application from the local authority, after considering any objections which may be raised by the local authority, revoke or alter any regulation made by them under this section.

(4) For the purposes of this section the expression local authority means—

- (a) as respects the City of London, the mayor, aldermen, and commons of the City of London in common council assembled; and

- (b) as respects a municipal borough with a population of over ten thousand according to the last census taken before the passing of this Act, the council of the borough; and
- (c) as respects any other area, the county council.

Speed limit.

As to the limit of 10 miles per hour mentioned in subsection (1) of this section, compare the Roads Act, 1920, s. 7, *post*, p. 210. It appears that a lower speed than 10 miles per hour may be imposed if it is necessary to do so.

A police control consisted of a constable and a sergeant quarter of a mile apart. On a car passing the former he signalled to the latter, who thereupon started his stop-watch. He stopped it on the car passing him. The sergeant alone gave evidence. *Held*, that this evidence was not merely the "opinion of one witness as to the rate of speed," but was evidence of the time in which the car travelled a certain distance. *Plancq v. Marks*, 94 L.T. 577.

See case of *Wellton v. Tanebourne*, noted to section 1 above.

A constable thinking a car was exceeding the speed limit stopped it, and noted the time. He thereupon informed the driver that he would compare the time with that noted by another constable stationed 3 miles back, and that if the speed was within the limit the driver would "hear no more about it." *Held*, that this case was sufficient notice of an intended prosecution within subsection (2) above. *Jessopp v. Clarke*, 99 L.T. 28.

Two constables were stationed on the road from Markyate to St. Albans (which were 20 miles apart) at the seventh milestone from the latter place. Two others were at the third milestone from St. Albans. The latter two stopped a motor car which the defendant was then driving, the chauffeur sitting beside him. The defendant had a licence for driving. The car traversed the distance at a rate of 28 miles an hour. The notice under subsection (2) above alleged that the offence was committed "between Markyate and St. Albans." The defendant did not give evidence. *Held*, that there was evidence on which the justices could convict, and that the notice was sufficient as the defendant was not misled by it. *Beresford v. St. Albans JJ.*, 22 T.L.R. 1.

Written notice of an intended prosecution for exceeding the speed limit was given to the porter employed at and in charge of the chambers where the defendant resided. The police officer who gave the notice told the porter the object of it. The defendant did not go into the witness-box to deny having received it. *Held*, that there was *prima facie* evidence that the notice had been "sent" to the defendant, and also that the porter had authority to receive it. *Martin v. Brooman*, 73 J.P. 484.

Since a constable in practice reports what he has seen and has no authority to say that a prosecution is intended, the notice given at the time under subsection (2) above must in general be followed by another notice. See *Parke v. Cole*, [1922] 86 J.P. (Journal), p. 190.

Erection of notice-board.

10.—(1) Local authorities within the meaning of the last preceding section shall give public notice of any regulation of the *Ministry of Transport*, made in pursuance of this Act, prohibiting or restricting the use of motor cars on any highway or part of a highway, or limiting the speed of motor cars within any limits or place, and, for the purpose of giving effect to any such regulation, shall place notices in conspicuous places on or near the highway, part of a highway, limits or place to which the regulation refers.

(2) Subject to regulations as to size and colours to be made by the *Ministry of Transport*, local authorities, within the meaning of the last preceding section, shall within their areas cause to be set up sign-posts denoting dangerous corners, cross-roads, and precipitous places, where such sign-posts appear to them to be necessary.

By section 7 (1) of the Roads Act, 1920, references in this section to motor cars are deemed to include references to vehicles within the meaning of that Act.

Penalties and legal proceedings.

11.—(1) A person guilty of an offence under this Act for which no special penalty is provided shall be liable, on summary conviction in

respect of each offence to a fine not exceeding twenty pounds, or in the case of a second or subsequent conviction to a fine not exceeding fifty pounds, or in the discretion of the court to imprisonment for a period not exceeding three months.

(2) Any person adjudged to pay a fine exceeding twenty shillings under this Act may appeal against the conviction, in the same manner as he may appeal if ordered to be imprisoned without the option of a fine. Appeal.

There is no appeal under subsection (2) where the fine does not exceed 20s., although the total amount including costs adjudged to be paid is over that sum. *Novis, ex parte*, [1905] 2 K.B. 456.

12.—(1) The *Ministry of Transport* by regulations made under section 6 of the principal Act may, as respects any class of vehicle mentioned in the regulations, increase the maximum weights of 3 tons and 4 tons mentioned in section 1 of that Act, subject to any conditions as to the use and construction of the vehicle which may be made by the regulations. Regulations as to maximum weight of cars.

(2) The power of the *Ministry of Transport* to make regulations under section 6 of the Locomotives on Highways Act, 1896, shall, as respects motor cars exceeding 2 tons in weight unladen, include a power to make regulations as to speed.

See section 7 (5) of Roads Act, 1920, and the Heavy Motor Car Order (p. 182).

13. The definition of "male servant" in subsection (3) of section 19 of the Revenue Act, 1869, as amended by section 5 of the Customs and Inland Revenue Act, 1876, shall be construed as if a person employed to drive a motor car were included in that definition. Inland Revenue licences for motor car drivers. 32 & 33 Vict. c. 14. 39 & 40 Vict. c. 16.

14. Subsections (1) and (5) of section 87 of the Local Government Act, 1888 (which relates to local inquiries), shall apply for the purpose of the carrying out by the *Ministry of Transport* of any of their duties under this Act. Local inquiries by Ministry of Transport. 51 & 52 Vict. c. 41.

15. Nothing in this Act shall affect any liability of the driver or owner of a motor car by virtue of any statute or at common law. Saving of liability.

16. It is hereby declared that this Act and the principal Act apply to persons in the public service of the Crown. Application to servants of the Crown.

20.—(1) In this Act the expression "motor car" has the same meaning as the expression "light locomotive" has in the principal Act, as amended by this Act, except that, for the purpose of the provisions of this Act with respect to the registration of motor cars, the expression "motor car" shall not include a vehicle drawn by a motor car. Interpretation.

The provisions of this Act and of the principal Act shall apply in the case of a roadway to which the public are granted access in the same manner as they apply in the case of a public highway.

A bath-chair propelled by one-quarter horse-power of electric power and at 2 miles per hour is a motor car. *Elieson v. Parker*, 117 L.T. 276.
See further notes on p. 152.

THE MOTOR CAR (REGISTRATION AND LICENSING) ORDER, 1903.

(Dated 19th November, 1903.)

[Made by the Local Government Board (Ministry of Transport)
in pursuance of the Acts of 1896 and 1903.]

PART I.

[*Cancelled by Road Vehicles (Registration and Licensing) Regulations,
1921. It related to Registration of Motor Cars.*]

PART II.

Licences.

Licences.

ART. XIV.—A person who desires to obtain the grant or renewal of a licence to drive a motor car or of a licence limited to driving motor cycles under the Act of 1903 shall apply to the Council of the County or County Borough in which he resides, and furnish them with the particulars set out in Form A or Form B in the Fifth Schedule to this Order as the case requires.

The fee of Five Shillings prescribed by the Act of 1903 shall be paid before the applicant is entitled to receive the licence or renewal.

Applications for the grant or renewal of a licence may be received and dealt with at any time within one month before the date on which the grant or renewal of the licence is to take effect.

ART. XV.—The licence and renewal of a licence shall respectively be in the form set out for the purpose in the Sixth Schedule to this Order or in a form to the like effect.

ART. XVI.—If any person applies to the Council of a County or County Borough for the grant of a licence, and the Council are satisfied that he has no residence in the United Kingdom, the Council shall, if the applicant is otherwise entitled, grant him a licence, notwithstanding that he is not resident within their County or County Borough.

Lost licence.

ART. XVII.—If a person to whom a licence has been granted by the Council of a County or County Borough satisfies that Council that his licence or any renewal of it has been lost or defaced, the Council shall, on payment of a fee of One Shilling, issue to him a duplicate licence, or renewal (including, in the case of a duplicate licence, any particulars indorsed or entered upon the original licence under the Act of 1903 or this Order), and the duplicate so issued shall have the same effect as the original licence or renewal as the case may be.

ART. XVIII.—The Council of every County and County Borough shall establish and keep a register of Licences in the form set out in the Seventh Schedule to this Order, or in a form to the like effect. Register.

ART. XIX.—Any registering Council shall upon application being made to them by any other licensing authority under the Act of 1903, or by any police authority, or by any superior officer of police or constable authorized by such officer, forthwith provide free of charge a copy of the particulars in their Register of Licences relating to any licence granted by them.

Upon receiving from any Court in pursuance of Section 4 of the Act of 1903 particulars of any conviction of the holder of a licence granted by the Council, and of the Order of the Court in the case, the Council shall cause a copy of such particulars and Order to be sent, free of charge, to the police authority for the area in which the holder of the licence resides.

PART III.

Supplemental.

ART. XX.—The clerk of the Council and any other officer authorized by the Council are respectively empowered to perform any duty or exercise any power of the Council for the purpose of carrying this Order into effect.

ART. XXI.—The provisions of this Order shall apply in the case of a roadway to which the public are granted access in the same manner as they apply in the case of a public highway.

Except where the contrary intention appears, the expression "motor car" in this Order includes a motor cycle.

In calculating for the purpose of this Order the weight of a motor car or motor cycle unladen, the weight of any water, fuel, or accumulators used for the purpose of propulsion shall not be included.

The Interpretation Act, 1889, applies for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament.

ART. XXII.—This Order may be cited as the Motor Car (Registration and Licensing) Order, 1903.

[Schedules I to IV cancelled by Road Vehicles (Registration and Licensing) Regulations, 1921.]

Fifth Schedule.

FORM A.

Particulars to be given by Applicant for Licence.

COUNTY [or COUNTY BOROUGH] of _____

1. Full name of applicant.	
2. Postal address of residence of applicant.	
3. Whether application is for licence to drive a motor car, or for licence limited to driving motor cycles.	
4. Whether applicant is less than seventeen years of age, or in the case of an application limited to driving motor cycles, whether he is less than fourteen years of age.	
5. Whether applicant is the holder of a licence, or has at any time previously been the holder of a licence.	
6. Particulars of any licence which the applicant holds or which he has previously held.	
7. Particulars of any endorsement on any licence which the applicant holds or which he has previously held.	
8. Whether applicant has at any time been disqualified for obtaining a licence. If so, particulars as to the Court by whom, the date on which, and the period for which the disqualification was imposed.	

Signature of Applicant _____

Date of Application _____

FORM B.

Particulars to be given by Applicant for Renewal of Licence.

COUNTY [or COUNTY BOROUGH] of _____

- | | |
|--------------------------------------------------------------------------------------------------------------------------|--|
| 1. Number of the licence. | |
| 2. Postal address of residence of applicant. | |
| 3. Whether applicant has, since date of last grant or renewal of the licence, been disqualified for obtaining a licence. | |

Signature of Applicant _____

Date of Application _____

*Sixth Schedule.**Form of Licence.*

No. _____

MOTOR CAR ACT, 1903.

County
or
County Borough } of _____

LICENCE TO DRIVE A MOTOR CAR (or MOTOR CYCLE).

A.B., of _____, is hereby licensed to drive a MOTOR CAR (or MOTOR CYCLE, only) for the period of twelve months from the _____ day of _____ until the _____ day of _____ inclusive.

Clerk to the County Council
or Town Clerk or duly authorized Officer.

N.B.—Particulars of any endorsement of any licence previously held by the person licensed must be entered on the back of this licence

Form of Renewal of Licence.

This licence (Licence No.* _____, granted by the Council of the County [or County Borough] of _____, under the Motor Car Act, 1903), is hereby renewed, so as to be in force for twelve months from the _____ day of _____ until the _____ day of _____ inclusive.

Clerk to the County Council
or Town Clerk or duly authorized Officer.

* NOTE.—If the holder of the licence furnishes the County Council with his licence for the purpose, the renewal must be entered upon the licence. It will otherwise be a separate document.

*Seventh Schedule.**Register of Licences.*

COUNTY [or COUNTY BOROUGH] of _____

1. Number of Licence.	2. Full Name of Licensee.	3. Postal Address of Residence of Licensee.	4. Whether.		5. Date of Grant and of Expiration.	6. Particulars of Renewals.	7. Particulars of any Endorsements on the Licence entered in pursuance of the Motor Car Act, 1903, or the Motor Car (Registration and Licensing) Order, 1903.
			(a) To drive a Motor Car.	(b) Limited to driving Motor Cycles.			

1904—
No. 315.

THE MOTOR CARS (USE AND CONSTRUCTION) ORDER, 1904.

(Dated 9th March, 1904.)

ART. I.—In this Order—

The expression “carriage” includes a waggon, cart, or other vehicle.

The expression “horse” includes a mule or other beast of draught or burden, and the expression “cattle” includes sheep.

The expression “motor car” means a vehicle propelled by mechanical power which is under 3 tons in weight unladen, and is not used for the purpose of drawing more than one vehicle (such vehicle with its locomotive not exceeding in weight unladen 4 tons), and is so constructed that no smoke or visible vapour is emitted therefrom except from any temporary or accidental cause.

In calculating for the purposes of this Order the weight of a vehicle unladen, the weight of any water, fuel, or accumulators used for purpose of propulsion shall not be included.

The expression “highway” includes any roadway to which the public are granted access.

ART. II.—No person shall cause or permit a motor car to be used on any highway or shall drive or have charge of a motor car when so used, unless the conditions hereinafter set forth are satisfied: namely,—

- (1) The motor car, if it exceeds in weight unladen *seven* hundred-weight, shall be capable of being so worked that it may travel either forwards or backwards.

*As amended
by Orders
207-1911.
444-1913.*

- (2) The motor car shall not exceed 7 feet 2 inches in width, such width to be measured between its extreme projecting points.
- (3) The tire of each wheel of the motor car shall be smooth and shall, where the same touches the ground, be flat and of the width following, namely,— Tires.
- (a) if the weight of the motor car unladen exceeds 15 hundredweight, but does not exceed 1 ton, not less than $2\frac{1}{2}$ inches ;
 - (b) if such weight exceeds 1 ton, but does not exceed 2 tons, not less than 3 inches ;
 - (c) if such weight exceeds 2 tons, but does not exceed 3 tons, not less than 4 inches.

Provided that where a pneumatic tire or other tire of a soft or elastic material is used the conditions hereinbefore set forth with respect to tires shall not apply.

- (4) The motor car shall have two independent brakes* in good working order, and of such efficiency that the application of either to the motor car shall cause two of its wheels on the same axle to be so held that the wheels shall be effectually prevented from revolving, or shall have the same effect in stopping the motor car as if such wheels were so held. Brakes.

Provided that in the case of a motor car having less than four wheels this condition shall apply as if, instead of two wheels on the same axle, one wheel was therein referred to.

[To this Condition (4) the following proviso was added by an Amendment Order (No. 444) dated 19th April, 1913.]

Provided also that in the case of a motor car which is propelled by steam and which—

- (a) exceeds 2 tons in weight unladen ; and
 - (b) has one brake in good working order, and of such efficiency that the application of that brake to the motor car shall cause two of its wheels on the same axle to be so held that the wheels shall be effectually prevented from revolving ; and
 - (c) is not used either as a stage carriage or otherwise for the conveyance of passengers for gain or hire ; the engine of that motor car, if it be capable of being reversed, shall be deemed to be the second independent brake required by this condition.
- (5) Where the weight of a motor car unladen exceeds 15 hundredweight and the motor car is fitted with tires other than pneumatic tires or tires of a soft or elastic material, the weight of the motor car unladen shall be painted in one or more straight lines upon some conspicuous part of the right or off side of the motor car in large legible letters in white upon black or black upon white, not less than 1 inch in height. Tires.

* The engine cannot be regarded as a second independent brake unless there is another brake which is able to work independently of it. *Cannon v. Jefford*, [1915] 3 K.B.D. 477.

Lamp.

- (6) The motor car and all the fittings thereof shall be in such a condition as not to cause, or to be likely to cause, danger to any person on the motor car or on any highway.

- (7)—(i) The lamp to be carried attached to the motor car in pursuance of section 2 of the Act of 1896 shall be so constructed and placed as to exhibit, during the period between one hour after sunset and one hour before sunrise, a white light visible within a reasonable distance in the direction towards which the motor car is proceeding or is intended to proceed, and to exhibit a red light so visible in the reverse direction. The lamp shall be placed on the extreme right or off side of the motor car in such a position as to be free from all obstruction to the light.

Provided that where a lamp, which exhibits a red light in the direction contrary to that towards which the motor car is proceeding, is carried attached at the back of the motor car, the condition requiring the lamp attached in pursuance of section 2 of the Act of 1896 to exhibit a red light shall not apply or have effect with regard to the motor car.

[The following proviso to this Condition 7 (i) was substituted for the original one by an Amendment Order (No. 1306) dated 18th December, 1913.]

Provided also that—

- (a) so much of this condition as requires any lamp attached to the motor car to exhibit a red light visible in the direction contrary to that towards which the motor car is proceeding shall not apply to a motor bicycle, unless there is attached to the motor bicycle a side car or other vehicle ;
 - (b) so much of this condition as requires the lamp exhibiting a white light visible in the direction in which the motor car is proceeding to be placed on the extreme right or off side of the motor car shall not apply to a motor bicycle or to a motor bicycle having attached to it a side car or other vehicle unless such side car or other vehicle is attached to or projects beyond the off side of the motor bicycle ; and
 - (c) for the purposes of the application of this condition to a motor bicycle having attached to it a side car or other vehicle, the lamp exhibiting a red light visible in the direction contrary to that towards which the motor car is proceeding may be attached to the side car or other vehicle, and, in the case of a motor bicycle having a side car or other vehicle attached to or projecting beyond the off side of the motor bicycle, the lamp required to be placed on the extreme right or off side shall be attached to the extreme right or off side of the side car or other vehicle.
- (ii) Every lamp carried by the motor car when in use on a highway at any time during the period mentioned in this condition shall be so constructed, fitted, and attached as to

prevent the movement or the use as a searchlight of the light exhibited by any such lamp.

(NOTE.—Motor cars in common with other vehicles must comply with lighting regulations contained in other Acts and Regulations, see p. 52.)

ART. III.—No person shall cause or permit a motor car to be used on any highway for the purpose of drawing any vehicle, or shall drive or have charge of a motor car when used for such purpose unless the conditions hereinafter set forth are satisfied, namely,—

- (1) Conditions (2), (3), (5), and (6) of Article II of this Order shall apply as if the vehicle drawn by the motor car was therein referred to instead of the motor car itself. Trailers.
- (2) Every vehicle exceeding 2 hundredweight in weight unladen, drawn by a motor car, shall have a brake in good working order of such efficiency that its application to the vehicle shall cause two of the wheels of the vehicle on the same axle to be so held that the wheels shall be effectually prevented from revolving, or shall have the same effect in stopping the vehicle as if such wheels were so held.
- (3) The vehicle drawn by a motor car shall, when in pursuance of the condition lastly hereinbefore set forth a brake is required to be attached thereto, carry upon the vehicle a person competent to apply efficiently the brake: Provided that it shall not be necessary to comply with this condition if the brakes upon the motor car by which the vehicle is drawn are so constructed and arranged that neither of such brakes can be used without bringing into action simultaneously the brake attached to the vehicle drawn, or if the brake of the vehicle drawn can be applied from the motor car by a person upon the motor car independently of the brakes of the latter.

ART. IV.—Every person driving or in charge of a motor car when used on any highway shall comply with the Regulations hereinafter set forth; namely,—

- (1) He shall not cause the motor car to travel backwards for a greater distance or time than may be requisite for the safety or convenience of the occupants of the motor car and of the passenger and other traffic on the highway. Driving and control.
- (2) He shall not, when on the motor car, be in such a position that he cannot have control over the same, or that he cannot obtain a full view of the road and traffic ahead of the motor car, or quit the motor car without having taken due precautions against its being started in his absence, or allow the motor car or a vehicle drawn thereby to stand on such highway so as to cause any unnecessary obstruction thereof.
- [(3) and (4) were rescinded by Order of 19th April, 1909.]
- (5) He shall, whenever necessary, by sounding the bell or other instrument required by section 3 of the Act of 1896, give audible and sufficient warning of the approach or position of the motor car.
- (6) He shall on the request of any police constable in uniform, or of any person having charge of a horse, or if any such

constable or person shall put up his hand as a signal for that purpose, cause the motor car to stop and to remain stationary so long as may be reasonably necessary.

[*The following Regulation was added to Article IV by an Amendment Order (No. 1696) dated 19th November, 1912.*]

- Cut-out. (7) He shall not use any cut-out, fitting, or other apparatus or device, which will allow the exhaust gases from the engine of the motor car to escape into the atmosphere without first passing through a silencer, expansion chamber or other contrivance, suitable and sufficient for reducing as far as may reasonably be practicable the noise which would otherwise be caused by the escape of the said gases :
 " Provided that this Regulation shall apply only to a motor car propelled by an internal combustion engine."

Noise. ART. V.—Every motor car shall be so constructed as to enable the driver, when the motor car is stationary otherwise than through an enforced stoppage owing to necessities of traffic, to stop the action of any machinery attached to, or forming part of the motor car so far as may be necessary for the prevention of noise. The driver shall on every such occasion make prompt and effective use of all such means as, in pursuance of this condition, are provided for the prevention of noise as above mentioned.

Provided that this regulation shall not apply so as to prevent the examination or working of the machinery attached to, or forming part of a motor car where any such operation is rendered necessary by any failure or derangement of the said machinery.

This Order may be cited as the Motor Cars (Use and Construction) Order, 1904—9th March, 1904.

1904—
No. 1809.

THE HEAVY MOTOR CAR ORDER, 1904.

(*Dated 27th December, 1904.*)

See section 12 of the Motor Car Act, 1903 (p. 173).

Commence-
ment of
Regulations.

ART. I.—The Regulations in this Order (hereinafter referred to as " the Regulations ") shall come into operation on the 1st day of March, 1905, and that date is hereinafter referred to as the commencement of the Regulations.

Definitions :
Heavy
motor car.

ART. II.—In the Regulations—

The expression " heavy motor car " means a motor car exceeding 2 tons in weight unladen.

Trailer.

The expression " trailer " means a vehicle drawn by a heavy motor car.

Registering
authority.

* The expression " registering authority " means the County Council by whom the heavy motor car has been or can be registered in pursuance of the Roads Act, 1920, and the Road Vehicles (Registration and Licensing) Regulations, 1921.

Axle-weight.

The expression " axle-weight " means, in relation to an axle of a heavy motor car, or of a trailer, the aggregate weight transmitted to the surface of the road or other base

* As amended by Road Vehicles (Registration and Licensing) Regulations, 1921.

whereon the heavy motor car or the trailer moves or rests, by the several wheels attached to that axle when the heavy motor car, or the trailer, is loaded.

* The expression "registered axle-weight" means the axle-weight as registered by a County Council in pursuance of these Regulations. Registered axle-weight.

The expression "width," in relation to the tire of a wheel, means the distance measured horizontally and in a straight line across the circumference of the wheel and between the two points in the outer surface of the tire which are farthest apart. Width.

The expression "diameter," in relation to a wheel, means the diameter measured between the two opposite points in the outer surface of the tire which are farthest apart. Diameter.

The expression "weight," in relation to a heavy motor car or trailer when unladen, means the weight of the vehicle exclusive of the weight of any water, fuel, or accumulators used for the purpose of propulsion. Weight.

ART. III.—Notwithstanding anything in the Motor Car Acts, 1896 and 1903, and except as is otherwise provided in the Regulations, a heavy motor car may be used on a highway if the weight of the heavy motor car unladen does not exceed †seven and a quarter tons, or if the weight of the heavy motor car unladen with the weight of the unladen vehicle drawn by it does not exceed †nine and three-quarter tons. Increase of weight, unladen.

*ART. IV.—(4) The owner of the heavy motor car shall cause—

- (i) the registered weight of the heavy motor car unladen,
- (ii) the registered axle-weight of each axle, and
- (iii) the highest rate of speed at which, in conformity with the Regulations, the heavy motor car may be driven without a trailer,

to be painted, or otherwise plainly marked, in the first and second case, upon some conspicuous part of the right or off side of the heavy motor car, and, in the third case, upon some conspicuous part of the left or near side of the heavy motor car.

The owner of the heavy motor car shall cause the aforesaid particulars to be painted or marked in letters and figures not less than 1 inch in height, and of such shape and colour as to be clearly legible and clearly distinguishable from the colour of the ground whereon the letters and figures are painted or marked; and he shall cause all the paint or marking to be from time to time repaired or renewed, as often as may be necessary to keep the said letters and figures clearly legible and clearly distinguishable.

ART. V.—(1) The axle-weight of an axle of a heavy motor car shall not exceed the registered axle-weight. Axle-weights.

(2) The registered axle-weight of an axle of a heavy motor car shall not exceed 8 tons, and the sum of the registered axle-weight of all the axles of a heavy motor car shall not exceed 12 tons.

* As amended by Road Vehicles (Registration and Licensing) Regulations, 1921.

† As amended by Heavy Motor Car (Amendment) Order, No. 906 of 1921.

Tires.

ART. VI.—(1) The tire of each wheel of a heavy motor car shall be smooth, and shall, where the tire touches the surface of the road or other base whereon the heavy motor car moves or rests, be flat :

Provided that the edges of the tire may be bevelled or rounded to the extent in the case of each edge of not more than half an inch :

Provided also that, if the tire is constructed of separate plates, the plates may be separated by parallel spaces which shall be disposed throughout the outer surface of the tire so that nowhere shall the aggregate extent of the space or spaces in the course of a straight line drawn horizontally across the circumference of the wheel exceed one-eighth part of the width of the tire.

(2) The width of the tire of each wheel of a heavy motor car shall be determined by such of the following conditions as may apply to the circumstances of the case ; that is to say,—

- (a) The width shall in every case be not less than 5 inches.
- (b) The width shall be not less than that number of half inches which is equal to the number of units of registered axle-weight of the axle to which the wheel is attached.

The unit of registered axle-weight shall vary according to the diameter of the wheel, and the rules set forth in the subjoined scale ; that is to say,—

- (i) If the wheel is 3 feet in diameter the unit of registered axle weight shall be $7\frac{1}{2}$ hundredweights ;
- (ii) If the wheel exceed 3 feet in diameter, the unit of registered axle-weight shall be $7\frac{1}{2}$ hundredweights, with an addition of weight in the proportion of 1 hundredweight for every 12 inches by which the diameter is increased beyond 3 feet ; and in the same proportion for any increase which is greater or less than 12 inches ; and
- (iii) If the wheel is less than 3 feet in diameter, the unit of registered axle-weight shall be $7\frac{1}{2}$ hundredweights, with a deduction of weight in the proportion of 1 hundredweight for every 6 inches by which the diameter is reduced below 3 feet ; and in the same proportion for any reduction which is greater or less than 6 inches.

(3) This Article shall not apply to any tire which is pneumatic or which is made of a soft or elastic material.

Speed.

ART. VII.—The speed at which a heavy motor car is driven on any highway shall not exceed 8 miles an hour :

Provided that—

- (a) If the weight of the heavy motor car unladen exceeds 3 tons ; or
 - (b) If the registered axle-weight of any axle exceeds 6 tons ; or
 - (c) If the heavy motor car draws a trailer,
- the speed shall not exceed 5 miles an hour.

Provided also that—

This proviso is now repealed by Order No. 556 of 1922, which will be found in the Addenda, p. 473, and which substitutes other provisions.

ART. VIII.—The diameter of a wheel of a heavy motor car, if the wheel is fitted with a tire which is not pneumatic or is not made of a soft or elastic material, shall be not less than 2 feet. Size of wheels.

ART. IX.—Notwithstanding anything in the Motor Car (Use and Construction) Order, 1904, a heavy motor car, if its weight unladen is 3 tons or exceeds 3 tons, and any trailer drawn by any such heavy motor car may, when measured between its extreme projecting points, be of a width not exceeding 7 feet 6 inches. Width.

ART. X.—Every heavy motor car shall be constructed with suitable and sufficient springs between each axle and the frame of the heavy motor car. Springs.

ART. XI.—(1) The owner of a trailer shall cause to be painted, or otherwise plainly marked, upon some conspicuous part of the right or off side of the trailer, in letters and figures not less than 1 inch in height, and of such shape and colour as to be clearly legible and clearly distinguishable from the colour of the ground whereon the letters and figures are painted or marked,— Trailers.

(a) The weight of the trailer unladen ; and

(b) The axle-weight of each axle of the trailer, if the weight of the trailer unladen exceeds 1 ton.

He shall cause the paint or marking to be from time to time repaired or renewed, as often as may be necessary to keep the said letters and figures clearly legible and clearly distinguishable.

(2) The Regulations so far as they relate to the width of the tires and size of the wheels of a heavy motor car, the wheels whereof are fitted with tires which are not pneumatic or are not made of a soft or elastic material, shall, with the necessary modifications, apply and have effect with respect to a trailer exceeding 1 ton in weight unladen, with the substitution in the Regulations of 3 inches for 5 inches as the minimum width of the tires, and of references to the axle-weights painted or marked upon the trailer in pursuance of this Article for references to registered axle-weights.

(3) The axle-weight of an axle of a trailer shall not exceed 4 tons.

Words " 4 tons " repealed by Order No. 556 of 1922, which will be found in the Addenda and which adds another provision.

(4) Every trailer shall be constructed with suitable and sufficient springs between each axle and the frame of the trailer.

(5) A heavy motor car which is used either as a stage carriage or otherwise for the conveyance of passengers for gain or hire, shall not draw a trailer.

(6) *See Addenda, Order No. 556 of 1922.*

ART. XII.—If a heavy motor car is upon a highway within a distance not exceeding half a mile by road from a public weighing machine, or other weighing machine which is conveniently accessible, and which belongs to or is subject to the control, or may be used for any purposes of a registering authority or of any other Council having control of the highway, and a duly authorized officer of the registering authority or other Council has reasonable Ascertainment of weights by officers of Councils.

ground for ascertaining whether the axle-weight for the time being of any axle of the heavy motor car, or of the trailer drawn by the heavy motor car exceeds the registered or marked axle-weight of that axle, the officer may require the person driving or in charge of the heavy motor car to drive the heavy motor car with or without the trailer, or to cause the heavy motor car to be driven with or without the trailer to the weighing machine, and the said officer may then cause the axle-weight for the time being of any axle to be ascertained; and the person driving or in charge of the heavy motor car shall comply with any such requirement, and shall, to the best of his ability, afford all such facilities as may be reasonably necessary for the purpose of ascertaining the axle-weight as aforesaid.

ART. XIII.—No person shall cause or permit to be used on any highway, or shall on any highway drive or have charge of a heavy motor car or a trailer which is not in all respects in accordance with the Regulations so far as they relate to the use and construction of heavy motor cars or trailers, as the case may be, or which is so used or driven as to contravene the Regulations:

Provided that during a period of six months after the commencement of the Regulations any failure to comply with the Regulations so far as they relate to the use or construction of heavy motor cars or trailers shall not be deemed to be a breach or contravention of the Regulations, if the failure occurs solely in relation to a heavy motor car registered before, or to a trailer which is in use at, the commencement of the Regulations.

[By an amending Order of 11th February, 1907 (No. 68), the following Art. XIV is substituted for the original.]

ART. XIV.—(1) With respect to the use of a heavy motor car on a bridge forming part of a highway the following regulations, subject to the conditions set forth in subdivision (2) of this Article, shall apply and have effect; that is to say,—

Where the person who is liable to the repair of the bridge states in a prescribed notice—

- (a) that the bridge is insufficient to carry a heavy motor car the registered axle-weight of any axle of which exceeds 3 tons, or the registered axle-weights of the several axles of which exceed in the aggregate 5 tons, or any greater weight specified in the prescribed notice, or
- (b) that the bridge is insufficient to carry a heavy motor car drawing a trailer if the registered axle-weights of the several axles of the heavy motor car and the axle-weights of the several axles of the trailer exceed in the aggregate 5 tons, or any greater weight which is specified in the prescribed notice,

the owner of any such heavy motor car shall not cause or suffer the heavy motor car to be driven, and the person driving or in charge of the heavy motor car shall not drive the heavy motor car upon the bridge except with the consent of the person liable to the repair of the bridge.

(2) The conditions, subject to which the regulations in subdivision 1 of this Article apply and have effect, are the following; that is to say,—

Breach of regulations. Saving for existing heavy motor cars.

Use of heavy motor cars on bridges.

- (i) Where a dispute or difference arises in relation to the insufficiency of the bridge to carry a heavy motor car, and, on a reference by the person liable to the repair of the bridge and the owner of the heavy motor car, the award or determination of an arbitrator or arbitrators or umpire adjudges the bridge to be sufficient to carry the heavy motor car, this Article shall cease to apply or have effect as regards any such heavy motor car and the use of the bridge by that heavy motor car, and the person liable to the repair of the bridge shall forthwith remove every prescribed notice affecting the heavy motor car and the bridge.
- (ii) If, within a period of one month, after a request in writing by the owner of a heavy motor car, the person liable to the repair of the bridge neglects or refuses to become a party to the submission to arbitration of any such dispute or difference as aforesaid, or having become a party to the submission, neglects or refuses to concur in the appointment of an arbitrator, or to appoint an arbitrator or an umpire or third arbitrator according as the submission or any agreement between the parties may require, this Article shall cease to apply or have effect as regards any such heavy motor car and the use of the bridge by that heavy motor car ; and the person liable to the repair of the bridge shall forthwith remove every prescribed notice affecting the heavy motor car and the bridge.
- (iii) The person liable to the repair of the bridge may at any time by a prescribed notice specify with respect to a heavy motor car, with or without a trailer, a greater weight than that specified in a prescribed notice which in pursuance of this Article has been removed : and thereupon this Article shall apply and have effect with respect to the prescribed notice so substituted, and with respect to any other matter or thing to which this Article refers as it has applied and had effect with respect to a prescribed notice of earlier date, and with respect to any such other matter or thing, prior to the date of the prescribed notice substituted as aforesaid.

(3) For the purposes of this Article the expression " prescribed notice " means a statement which contains all such particulars as are required to be shown for the purposes of the regulations and conditions in this Article, and also the name and address of the person liable to the repair of the bridge, which is printed or painted in legible letters or figures of such a colour as to be clearly distinguishable from the colour of the ground whereon the letters and figures are printed or painted, which is attached to or forms part of a suitable board, plate, or tablet of wood, iron, or other durable material, and which is affixed or set up in a suitable and conspicuous position at each end of a bridge.

(4) The owner of a heavy motor car the registered axle-weights of the several axles of which, with the axle-weights of the several axles of any trailer drawn by the heavy motor car, exceed in the aggregate 6 tons, shall not cause or suffer the heavy motor car to be driven, and the person driving or in charge of the heavy motor car shall not drive the heavy motor car upon a bridge forming part

of a highway at any time when another heavy motor car, or a locomotive to which the Locomotives Act, 1898, applies, is on the bridge.

(5) Nothing in this Article shall apply to . . . any bridge which crosses the River Thames and any part of which is in the City of London or County of London, and any bridge

(a) whereof the use is subject, for the time being, to any such condition, restriction, or prohibition, imposed by or by virtue of a Local and Personal Act, or by or by virtue of an Act confirming a Provisional Order, or by or by virtue of any bye-law, regulation, rule, order, notice, or other means authorized by the said Act, as is inconsistent with the use on the bridge of any such heavy motor car as is described in this Article; and

(b) whereon, for the time being, the effect of the condition, restriction, or prohibition is stated in a prescribed notice.

ART. XV.—[*Cancelled by Road Vehicles' (Registration and Licensing) Regulations, 1921.*]

ART. XVI.—As regards matters which are not herein before expressly mentioned in relation to heavy motor cars, the Motor Car (Registration and Licensing) Order, 1903, and the Motor Cars (Use and Construction) Order, 1904, shall apply and have effect subject to the Regulations; and any provisions of either Order which are inconsistent with the Regulations shall cease to apply and have effect in relation to a heavy motor car.

[*By an amending Order of 6th March, 1911 (No. 208), the following Art. XVII is substituted for the original.*]

ART. XVII.—The Regulations, in relation to any heavy motor car which belongs to His Majesty the King, and is used for the time being, under the care, superintendence, or control of a Secretary of State, for military purposes, shall apply and have effect—

(a) [*Cancelled by Heavy Motor Car Amendment Order, No. 906, of 1921.*]

(b) As if to Article VI of this Order there were added the following subdivision; that is to say,—

“(4) Nothing in subdivision (1) of this Article shall have
 “effect so as to prevent the use of tires constructed,
 “shod, or fitted with diagonal cross-bars or to regulate
 “or determine the width of the spaces between such
 “cross-bars, and if the tires of any pair of wheels of a
 “heavy motor car are so constructed, shod, or fitted,
 “the conditions of subdivision (2) of this Article shall,
 “for the purpose of determining the width of each of
 “those tires, apply subject to the substitution throughout
 “those conditions of 5 hundredweights for $7\frac{1}{2}$ hundred-
 “weights as the unit of registered axle-weight.”

ART. XVIII.—This Order may be cited as the “Heavy Motor Car Order, 1904.”

27th December, 1904.

Application
of earlier
Orders as to
motor cars.

Military
motor cars.

Short title.

THE MOTOR CAR (INTERNATIONAL CIRCULATION) ACT, 1909.

(9 Edw. 7, c. 37.)

1.—(1) His Majesty may, by Order in Council for the purpose of giving effect to any convention for facilitating the international circulation of motor cars, provide—

Power to make Order in Council for carrying out conventions as to international circulation of motor cars.

- (a) for the grant and authentication of any travelling passes, certificates, or authorities which may be of use to persons resident in the United Kingdom when temporarily taking their motor cars abroad, or to drivers when proceeding abroad for the purpose of driving motor cars; and
- (b) for modifying the provisions of the Motor Car Act, 1903 [3 Edw. 7, c. 36], relating to the registration of motor cars and the licensing of motor-car drivers in the case of motor cars brought temporarily into the United Kingdom by persons resident abroad, and intending to make only a temporary stay in the United Kingdom, and of drivers entering the United Kingdom for the purpose of driving any such cars.

(2) Any modifications of the Motor Car Act, 1903, made by an Order in Council under this section shall have effect as if they were contained in that Act.

(3) Any Order in Council under this Act may be varied or revoked by any subsequent Order in Council under this Act.

(The references to the Motor Car Act, 1903, in this Act include references to the Roads Act, 1920. See section 7 (8) of the latter Act.)

THE MOTOR CAR (INTERNATIONAL CIRCULATION) ORDER, 1910.

(Dated 22nd of April, 1910.)

Order in Council,
No. 421—
1910.

[Recitals of the above Act and the Convention of Paris, 11th October, 1909.]

PART I.

British Cars going Abroad.

ART. I.—(1) The *Ministry of Transport* shall be the competent authority and they are hereby empowered to carry out in accordance with, and subject to the provisions of, this Order, the following duties, that is to say:—

Cars going abroad.

- (a) To examine any motor car registered in any part of the United Kingdom under the provisions of the Motor Car Act, 1903, which is submitted for examination and, if satisfied, after such examination

(i) that the motor car is suitable for use on the highway in a foreign country, and that it fulfils the conditions specified in subdivisions (1), (2), (3), and (4) of Article I of the First Schedule to this Order or, in the case of a motor cycle, the said conditions as modified by the paragraph numbered (1) in Article 6 of that Schedule; or

Certificate
of fitness.

(ii) that the motor car is of a type which is suitable for the purpose aforesaid, and which complies with the specified conditions ;

to issue a Certificate of fitness in the Form A in the Second Schedule to this Order or in a form to the like effect ;

- (b) To examine any person submitting himself for examination and, if upon examination he is found to be competent, to issue to him a Driver's Certificate of Competence in the Form B in the Second Schedule to this Order, or in a form to the like effect : Provided that a Certificate of Competence shall not be granted to any person who is under eighteen years of age, or who does not hold a licence to drive issued in pursuance of the Motor Car Act, 1903 ;
- (c) To issue, subject to the conditions of Article II of this Order, to the owner of any motor car registered as aforesaid, an International Travelling Pass under the Seal of the *Ministry of Transport* ;
- (d) To prescribe the type or types of motor cars for the purposes of subdivision (ii) in paragraph (a) of subdivision (1) of this Article.

(2) (i) The *Ministry of Transport* may, under such conditions as they think fit, authorize by Order one or more Associations to perform all or any of the duties specified in subdivision (1) of this Article, and may at any time revoke all or any part of such authorization.*

(ii) An Association authorized as aforesaid shall keep in a form or forms to be approved by the *Ministry of Transport* a Register or Registers of all Certificates and International Travelling Passes issued by them under such authorization, and the Register or Registers shall be open to inspection by the *Ministry of Transport* or by any person authorized by the *Ministry*.

ART. II.—(1) The following conditions shall be fulfilled before an International Travelling Pass is issued :—

- (a) The motor car for which an International Travelling Pass is issued shall be a motor car in respect of which a Certificate of Fitness shall have been issued in pursuance of Article I of this Order ; and
- (b) Particulars as to the driver or drivers of the motor car shall be indicated on the International Travelling Pass in the place provided for the purpose, and every such driver shall possess a Certificate of Competence issued in pursuance of Article I of this Order.

(2) Every Certificate of Fitness or of Competence and every International Travelling Pass issued under the foregoing provisions shall be valid for a period of one year from the date of issue.

* The Royal Automobile Club, and the Automobile Association and Motor Union, and the London County Council have been appointed to perform these duties as regards England.

Inter-
national
Travelling
Pass.

ART. III.—The following fees shall be chargeable on the issue of a Certificate or an International Travelling Pass under the foregoing provisions of this Order :—

Certificate of Fitness of motor car ..	seven shillings
Driver's Certificate of Competence ..	seven shillings
International Travelling Pass ..	seven shillings

In the case of a motor cycle one-half only of the foregoing fees shall be chargeable.

PARTS II AND III.

[Revoked by Amendment Order, No. 1574, of 1921, see p. 194.]

First Schedule.

ARTICLE 1.

Conditions to be fulfilled by Motor Cars in order to be allowed to be driven on the highway.

Every motor car, in order to be allowed to be driven on the highway in a foreign country, must either have been recognized as suitable for use on the highway after an examination before the competent Authority or before an association authorized by that Authority, or must belong to a type approved in the same manner.

The examination must be directed specially to the following points :—

- (1) The machinery must be such as can be trusted to work efficiently and must be so designed as to prevent, as far as possible, all danger of fire or explosion, as not to frighten by its noise animals, whether ridden or driven, and as not to give rise to any other cause of danger to traffic or seriously to inconvenience by the emission of smoke or vapour any persons using the road.
- (2) The motor car must be provided with the following :—
 - (a) A strong steering apparatus which will allow the car to be turned readily and with certainty ;
 - (b) Two brakes, each independent of the other and adequate for its purpose. One at least of these brakes must be capable of acting rapidly and directly upon the wheels or upon brake-drums immovably fixed thereto ;
 - (c) A mechanism which is capable of preventing even on steep gradients any backward movement, if one of the brakes is not of itself sufficient for the purpose.

Every motor car whose weight unladen exceeds 350 kilogrammes must be so constructed that the driver can, from his seat, reverse the movement of the car by means of the driving power.

(3) All the driving and steering apparatus must be so arranged that the driver can manipulate it with certainty and at the same time have a clear view of the road.

(4) Every motor car must be provided with plates showing the name of the manufacturer of the chassis and the manufacturer's number, the horse-power of the engine or the number and bore of its cylinders, and also the weight of the car unladen.

ARTICLE 2.

Conditions to be fulfilled by Drivers of Motor Cars.

The driver of a motor car must possess qualifications which provide a sufficient guarantee of public safety.

In so far as the driving of motor cars in foreign countries is concerned, no one may drive a motor car without having received for that purpose an authorization given by a competent Authority or by an Association authorized by that Authority, after having shown himself on examination to be competent.

Such an authorization must not be given to a person less than eighteen years of age.

ARTICLE 3.

Issue and Recognition of International Travelling Passes.

In order to secure as regards the driving of motor cars in foreign countries that the conditions mentioned in Articles 1 and 2 are fulfilled, International Travelling Passes shall be issued.

* * * * *

These passes shall be valid for one year from the date of issue. The manuscript entries therein shall always be written in Latin characters or in ordinary English handwriting.

* * * * *

ARTICLE 4.

Arrangement of Identification Marks on Motor Cars.

No motor car shall be allowed to pass from one country into another unless it carries fixed in a visible position on the back of the car, in addition to the number plate of its own nationality, a distinctive plate displaying letters indicating that nationality. The size of this plate and the method and size of the lettering are prescribed in a note appended to the present Convention (Annexe C).

ARTICLE 6.

Special Provisions with regard to Motor Cycles.

The provisions of this Convention apply to motor tricycles and motor bicycles, subject to the following modifications :—

(1) The machinery intended to prevent a car from slipping backwards referred to in paragraph (c) of subdivision (2) of Article 1 is not required, nor is the reversing gear.

* * * * *

(3) The distinctive nationality plate of motor cycles shall measure only 18 centimetres in width and 12 centimetres in height. The letters shall measure 8 centimetres in height, the breadth of each line being 10 millimetres.

* * * * *

Annexe C.

The distinctive mark of the country of origin shall consist of an oval plate 30 centimetres in width and 18 centimetres in height, bearing one or two letters painted in black upon a white ground. The letters shall be formed of capital letters in Latin characters,

THE MOTOR CAR (INTERNATIONAL CIRCULATION) ORDER, 1910. 193

and shall measure at least 10 centimetres in height, the breadth of each line being 15 millimetres.

LIST OF COUNTRIES WHICH HAVE ACCEDED TO THE INTERNATIONAL CONVENTION OF 1909, RELATIVE TO THE CIRCULATION OF MOTOR CARS.

Country.	Distinctive Letters.
Austria	A.
Belgium	B.
Bulgaria	B.G.
Czecho-Slovakia	C.S.
Dantzic, Free City of	D.A.
Denmark	D.K.
Finland	S.F.
France	F.
Germany	D.
Great Britain.....	G.B.
Greece.....	G.R.
Hungary.....	H.
Italy	I.
Luxemburg	L.
Monaco	M.C.
Netherlands	N.L.
Norway	N.
Poland	P.L.
Portugal.....	P.
Roumania	R.M.
Russia	R.
Spain	E.
Sweden	S.
Switzerland	C.H.

BRITISH POSSESSIONS.

British India.....	B.I.
Gibraltar	G.B. with letter Z above or below.
Guernsey	G.B. " G "
Jersey.....	G.B. " J "
Malta	G.B. " Y "

Second Schedule.

FORM A.

Number

THE MOTOR CAR (INTERNATIONAL CIRCULATION) ORDER, 1910.

CERTIFICATE OF FITNESS OF CAR.

This is to certify that the motor car described hereunder has been examined and found to be fit for use on the highway in a Foreign Country.

Name of Owner of Car
(in full)

Owner's home address

Index letter and registered number of car

Description of car (e.g., motor car, motor cycle, etc.)

Name of Manufacturer
Type of chassis or engine

Body of car { shape,
 { colour,
 { number
 { of seats.

Weight of car unladen
(in kilogrammes).

(Seal.)

Signature.

FORM B.

Number

THE MOTOR CAR (INTERNATIONAL CIRCULATION) ORDER, 1910.

DRIVER'S CERTIFICATE OF COMPETENCE.

This is to certify that A.B.*
of _____ has been examined and found
to be competent to drive a motor car.

(Seal.)

Signature.

* Insert full name and home address of driver.

Statutory
Rules and
Orders,
1921.
No. 1574,
dated
27th Sept.,
1921.

THE MOTOR CAR (INTERNATIONAL CIRCULATION) (AMENDMENT) ORDER, 1921.

1. Part II and Part III of the Motor Car (International Circulation) Order, 1910, and so much of the Second Schedule thereto as relates to Forms C, D, and E therein set out are hereby revoked without prejudice to the validity of any action taken thereunder.

2. Any person in charge of a motor car brought temporarily into the United Kingdom by a person resident abroad and intending to make only a temporary stay in the United Kingdom, may on production of the International Travelling Pass issued in respect of such car, make application for the issue to the person or persons whose name or names appear on the pass as a driver or drivers of such car of a licence or licences to drive such car in manner prescribed by Regulations made from time to time by the Minister of Transport.

3.—(1) In this paragraph the expression “the Act” means the Motor Car Act, 1903, as amended by the Roads Act, 1920.

(2) In the application of the Act to any persons licensed to drive a motor car in pursuance of paragraph 2 of this Order, the following modifications of the Act shall have effect:—

- (i) In subsection (2) of section 1 of the Act there shall be added after the words “or produce his licence on demand” the words “or produce on demand the licence issued to him in pursuance of paragraph 2 of the Motor Car (International Circulation) (Amendment) Order, 1921, and the International Travelling Pass issued in respect of such car.”
- (ii) Any person to whom a licence to drive a motor car has been issued in pursuance of paragraph 2 of this Order shall be deemed to be licensed under section 3 of the Act and a person driving the motor car with reference to which such licence has been issued who produces such licence shall be deemed to have complied with the requirements of subsection (4) of that section.
- (iii) Paragraphs (a) and (c) of subsection (1) and subsections (2), (3), and (5) of section 4 of the Act shall apply to any licence issued in pursuance of paragraph 2 of this Order as if such licence were a licence granted under the Act, provided that the London County Council shall be substituted for the Council referred to in the said paragraph (c) as the authority to whom a copy of the particulars therein mentioned shall be sent.

5.—(i) This Order may be cited as the Motor Car (International Circulation) (Amendment) Order, 1921.

(ii) This Order shall come into operation as from the date hereof.

THE ROAD VEHICLES (INTERNATIONAL CIRCULATION PERMIT) REGULATIONS, 1921, MADE BY THE MINISTER OF TRANSPORT.

(Dated 12th November, 1921.)

1. These Regulations may be cited as the Road Vehicles (International Circulation Permit) Regulations, 1921.

2. In these Regulations—

The expression “Registration Authority” means either the Royal Automobile Club, the Automobile Association and Motor Union, or the London County Council.

The expression “Council” means County Council as defined in the Roads Act, 1920.

Inter-
national
Permit
Regulations.

The expression "International Travelling Pass" means an International Travelling Pass issued in accordance with Article 3 of First Schedule to the Motor Car (International Circulation) Order, 1910.

The expression "Local Taxation Officer" means the selected officers of the Council to whom powers or duties similar to those exercisable or performed by officers of Customs and Excise have been delegated by the Council.

The expression "Owner" means the person by whom the vehicle is kept and used.

3. Any person who shall obtain an International Circulation Permit under these Regulations (hereinafter called "Permit") in respect of a mechanically propelled vehicle and shall otherwise comply with these Regulations shall subject to the provisions of Regulation 16 (ii) (c) hereof be exempt during the period for which such permit is valid from the duty payable under section 13 of the Finance Act, 1920, in respect of that vehicle.

4. Any person making only a temporary stay in the United Kingdom who brings into the United Kingdom a vehicle in respect of which duty is apart from these Regulations, imposed upon him by section 13 of the Finance Act, 1920, and who desires to obtain a Permit in respect of that vehicle, shall apply to a Registration Authority by means of an application in the Form A set out in the First Schedule hereto, and if the applicant is the holder of an International Travelling Pass shall forward such International Travelling Pass with the application.

5. (i) Permits shall be in the Form B set out in the Second Schedule hereto.

(ii) The Permit shall be carried upon the vehicle in like manner as if it were a Licence issued under the Roads Act, 1920, and the Road Vehicles (Registration and Licensing) Regulations, 1921, and the provisions of subsections (2) and (3) of Regulation 4 of those Regulations and Part II of the Second Schedule thereto shall apply accordingly.

(iii) A Registration Authority may, if they think fit, supply to the person to whom a Permit is issued if he so desires a holder for the Permit and make a charge for it.

6. A Registration Card containing such particulars relative to the vehicle in respect of which it is issued, as the Minister may from time to time direct, shall be issued to every owner of a mechanically propelled vehicle in respect of which a Permit is issued. The Registration Card shall be produced for inspection by the owner at any reasonable time upon request by a Police Officer or Local Taxation Officer.

7.—(1) No person shall deface or mutilate any Permit or Registration Card or alter or obliterate any entry made therein or make any addition thereto, or make or exhibit any colourable imitation thereof.

(2) If a Permit or Registration Card issued by a Registration Authority under these Regulations has been lost, destroyed, or accidentally defaced, the owner of the vehicle may apply to the Registration Authority for the issue to him of a duplicate Permit or Registration Card, as the case may be, and the Registration

Authority upon being satisfied as to such loss, destruction, or defacement and, where the Permit or Registration Card has been accidentally defaced, upon the surrender of the Permit or Registration Card so defaced, shall issue a duplicate so marked on payment of a fee of five shillings, and the duplicate so issued shall have the same effect as the original Permit or Registration Card.

8. Upon receipt by a Registration Authority of an application for a Permit the Registration Authority to whom such application is made shall, if they are satisfied that the owner is making only a temporary stay in the United Kingdom and that the vehicle in respect of which the application is made has been brought by the owner into the United Kingdom,—

Application
for Permit.

- (i) issue to the owner a Permit, and
- (ii) enter thereon before issue thereof—
 - (a) the index mark and registration number of the vehicle ;
 - (b) the date to which the Permit is valid ; and
 - (c) a stamp or other sufficient mark indicating the name of the Registration Authority by whom the Permit is issued and the date of issue ;
- (iii) prepare and issue to such owner the Registration Card with the appropriate particulars entered thereon, such Registration Card being affixed to the International Travelling Pass (if any) held by the owner in respect of the vehicle ;
- (iv) if the owner is the holder of a valid International Travelling Pass issued in respect of the vehicle, issue a licence or licences in the Form C set out in the Third Schedule hereto to drive such vehicle to the person or persons whose name or names appear in the Pass as driver or drivers of the vehicle ; and
- (v) retain the application, and advise the Commissioner of Police of the Metropolis of the issue of such permit and licence (if any).

9. The index mark and registration number of a vehicle in respect of which a Permit is issued shall be—

Index
mark.

- (i) in the case of a vehicle brought into the United Kingdom from a country which is a party to the International Circulation Convention by a person holding a valid International Travelling Pass issued in respect of such vehicle by that country, the registration number allotted to the vehicle by that country ; and
- (ii) in the case of any other vehicle an index mark consisting of the letters Q Q and a registration number assigned by the Registration Authority issuing the Permit.

10.—(i) An identification mark as prescribed in the preceding Regulation shall be carried by a vehicle in respect of which an International Circulation Permit has been issued and shall be exhibited in like manner as if it were an identification mark assigned under the Roads Act, 1920, and Regulations 21 to 25 inclusive of the Road Vehicles (Registration and Licensing) Regulations, 1921, and the Fourth Schedule thereto shall apply accordingly.

(ii) A Registration Authority which assigns an index mark or registration number to a vehicle under these Regulations may, if they think fit, supply to the owner of such vehicle if he so desires the plates forming the identification mark of the vehicle and make a charge for them.

11. Each Registration Authority shall establish and maintain in such form as the Minister may direct a register of vehicles in respect of which Permits are issued and a register of licences to drive such vehicles under these Regulations.

12. A Permit shall be valid until the expiration of a period of four months from the date upon which the vehicle in respect of which such Permit is issued was brought into the United Kingdom unless previously surrendered. Provided that if the applicant for a Permit has at any time during the period of one year immediately preceding the date of application been the holder of another Permit then in such case the period of four months above referred to shall be reduced by the number of days for which such other Permit was in force.

Destruction
of vehicle.

13. If a vehicle in respect of which a Permit has been issued is broken up or destroyed or is sold or otherwise transferred to some person other than the person to whom such Permit was issued during the period for which such Permit is valid the person to whom such Permit was issued shall forthwith inform the Registration Authority by whom the Permit was issued of such breaking up, destruction, sale, or other transfer, and in the case of a sale or other transfer of the name and address of the person to whom the vehicle has been so sold or transferred, and shall at the same time surrender to the said Registration Authority the Permit and Registration Card issued in respect of the said vehicle; and the Registration Authority shall advise the Commissioner of Police of the Metropolis of the surrender of such Permit.

14. If the vehicle in respect of which a Permit has been issued is about to be removed from the United Kingdom during the period for which such Permit is valid the person to whom such Permit was issued shall before such vehicle is removed from the United Kingdom surrender the Permit and Registration Card to the Registration Authority by whom such Permit and Card were issued; and the Registration Authority shall advise the Commissioner of Police of the Metropolis of the surrender of such Permit.

15. When any vehicle in respect of which a Permit has been issued is broken up or destroyed or removed from the United Kingdom or sold or otherwise transferred from the owner to some person in the United Kingdom, the index mark and registration number assigned to the vehicle under Regulation 9 hereof shall become void and shall not be assigned to any vehicle to be used in the United Kingdom. Provided that—

(i) if the person to whom the said Permit is issued shall at any time within three years after the date of issue of such Permit apply for another Permit in respect of the same vehicle the said index mark and registration number may be assigned to such vehicle; and

- (ii) nothing herein contained shall render such index mark and registration number invalid for the purposes of an International Travelling Pass issued in the United Kingdom for travelling in other countries.

16.—(i) Any person to whom a Permit has been issued in respect of a vehicle shall before using such vehicle at any time after the expiration of the period for which such Permit was valid apply for and obtain a Licence under the Finance Act, 1920, as amended by the Roads Act, 1920.

(ii) For the purposes of this Regulation the Road Vehicles (Registration and Licensing) Regulations, 1921, shall be modified as follows :—

Modification
of Road
Vehicles
(Registration
& Licensing)
Regulations,
1921.

- (a) If the owner satisfies the Council within whose area he is temporarily residing that the vehicle is not ordinarily kept within the area of any Council and that he has no principal place of business or permanent postal address in the United Kingdom, application for a licence may be made to the said Council and a licence issued by them.
- (b) The owner shall, together with his Declaration, forward to the Council the Permit and Registration Card issued to him.
- (c) The Council shall not issue a licence to a person making application therefor in pursuance of this Regulation until such person shall have paid to them the full amount of the duty which would if such Permit had not been issued have been payable by him in respect of the period for which such Permit was valid together with the amount of duty payable in respect of the licence applied for provided that nothing herein contained shall operate so as to render such a person liable to pay a greater amount of duty than he would have paid if he had at the time when the vehicle was last brought into the United Kingdom obtained and subsequently renewed from time to time a licence which, or the renewals of which, would expire at the same date as the licence for which application is made in pursuance of this Regulation.
- (d) The Council shall advise the Commissioner of Police of the Metropolis and the Registration Authority by whom the Permit was issued of the receipt of the Permit and the issue of such licence by them.
- (e) The index mark and registration number to be assigned by the Council shall, if the person making application in pursuance of this Regulation so desire, be the index mark and registration number of the vehicle under Regulation 9 hereof, provided that at the expiration of one year from the date upon which the vehicle was last brought into the United Kingdom such index mark and registration number shall become void and the Council shall upon application being made to them by the owner assign a new index mark and registration number in accordance with the Road Vehicles (Registration and Licensing) Regulations, 1921.

17. Any officer authorized by a Registration Authority is empowered to perform any duty or exercise any power of the Registration Authority for the purpose of carrying these Regulations into effect.

18. For the purposes of section 6 of the Government of Ireland Act, 1920, these Regulations shall be deemed to have been made prior to the appointed day.

19. The Interpretation Act, 1889, applies for the purpose of the interpretation of these Regulations as it applies for the purpose of interpretation of an Act of Parliament.

First Schedule.

FORM A.

FINANCE ACT, 1920, SECTION 13 (5): DECLARATION AND APPLICATION FOR ISSUE OF INTERNATIONAL CIRCULATION PERMIT.

I request that you will issue to me a permit for the vehicle described below :—

1. Description of Car_____
- (e.g., Motor Car, Motor Cycle, etc.)
2. Name of Manufacturer_____
3. } Body { Shape_____
4. } of { Colour_____
5. } Car { Number of Seats_____
6. Weight of Car unladen (*in kilogrammes*)_____
7. Letters and Numbers on the Identification Plates_____
- (*if any*).

I undertake to deliver up the Permit on or before its expiry to the Authority (County Council, Royal Automobile Club, or Automobile Association) by whom it was issued; I declare that I intend to make only a temporary stay in the United Kingdom; I understand that if I stay for more than four months I become liable to the ordinary licence duty from the date of landing in the United Kingdom; and I declare that since_____ I have held no United Kingdom Circulation Permit, *except as follows** :—

Where Issued.

Approximate Period for which used.

Signature of Owner_____

Name in full (in BLOCK CAPITALS)_____

Postal Address (if any) in United Kingdom_____

Home Address_____

Port of Landing_____

Date of Landing_____

* Cross out words in *italics* if not applicable.

Second Schedule.

FORM B.

Car No.

VALID UNTIL 192

Month

Day

Office of Issue

Date Stamp of

Third Schedule.

FORM C.

MOTOR CAR (INTERNATIONAL CIRCULATION) (AMENDMENT) ORDER, 1921. ROAD VEHICLES (INTERNATIONAL CIRCULATION PERMIT) REGULATIONS, 1921.

LICENCE TO PERSON NAMED IN AN INTERNATIONAL TRAVELLING PASS TO DRIVE A MOTOR CAR.

_____ (a)
of _____

_____ (b)
is hereby licensed to drive a Motor Car _____ (c)

from the date of issue of this licence until _____ 192

(d) inclusive.

Date of issue _____ Signature of issuing officer _____

on behalf of _____ (e)

Note.—Particulars to be copied from International Travelling Pass :—

(a) full name of driver ;

(b) home address of driver ;

(c) letters and number on the identification plates of the car.

At (d) insert the date of expiration of the International Travelling Pass. (The date inserted in *this* licence must in no case be a date later than one year after the date of issue of this licence.)

A Ministry of Transport circular has been issued indicating the practice under the above Regulations. It is dated 23rd November, 1921, and the more important part of it is as follows:—

As it is essential to the general scheme of displayed licences that there should be no exceptions, a special form of licence (blue printing on white ground), available for a period of four months from the date of landing, will be issued free of charge to visitors from abroad. These licences, called "International Circulation Permits," are issuable by three Authorities only, viz.:—

- The Royal Automobile Club,
Pall Mall, S.W.1;
- The Automobile Association and Motor Union,
Famum House,
Whitcomb Street, W.C.2; and
- The London County Council,
Public Control Department,
New County Hall,
Westminster Bridge Road,
London, S.E.1.

Arrangements have also been made for the representatives of the two first-named Authorities at the principal ports to carry out these special licensing arrangements.

The Registration numbers to be carried by vehicles in respect of which International Circulation Permits have been issued fall under two categories:

- (a) Vehicles brought into the United Kingdom from a country which is a party to the International Circulation Convention by persons holding International Travelling Passes bear the registration numbers allotted to the vehicles by that country.
- (b) Other vehicles are allotted registration numbers under the special Index Mark Q.Q.

The following blocks of Q.Q. numbers have been allocated to the three Registration Authorities:—

- Q.Q. 1-999—London County Council.
- Q.Q. 1000-1999—Royal Automobile Club.
- Q.Q. 2000-2999—Automobile Association and Motor Union.

In the event of a foreign visitor applying for a Permit at a Local Taxation Office, he should be referred to the Royal Automobile Club, the Automobile Association and Motor Union, the Port Representatives of one of the above motoring associations, or to the London County Council.

Upon the expiry of an International Circulation Permit, or when the vehicle is taken out of the United Kingdom (if sooner), the Permit is returnable to the Authority by whom it was issued, and should not on any account be accepted by any other Authority, except in the case where an ordinary licence is applied for under the circumstances set out in the following paragraph:—

A very important part of the Regulations as affecting Councils generally is paragraph 16, which deals with the case in which a foreign visitor stays in the United Kingdom for a period exceeding four months. The visitor then becomes liable for the payment of the ordinary licence duty *as from the date he landed*.

The principle of domicile has had to be considerably relaxed in these cases in view of the fact that many foreign visitors have no principal place of business or permanent postal address in the United Kingdom. In such a case a licence may be issued by the Council within whose area the visitor is temporarily residing.

Before the issue of an ordinary licence the Council will require:—

- (1) a Declaration;
- (2) the surrender of the Permit and Registration Card; and
- (3) the payment of duty *from the date of landing*.

The method of calculating the duty payable is shown in the Appendix to this Circular. The duty will be accounted for in the ordinary manner, except where a proportion of the duty collected is in respect of the previous calendar year. In such cases that proportion of the duty shown in the Appendix as "arrears" will be so brought to account, the remainder being treated as "current" duty.

Upon the issue of the ordinary licence the Council will advise the Commissioner of Police of the Metropolis and the Registration Authority which

issued the Permit of the surrender of the Permit and the issue of the ordinary licence. The Metropolitan Police maintain a record of all outstanding Permits, and it is essential that their books should be promptly cleared.

In paragraph 16 (e) of the Regulations it is provided that the foreign number or the Q.Q. number, as the case may be, may be retained for a period of one year from the date of landing. Councils are requested to discourage, as far as possible, the retention of such numbers, and should advise applicants that the immediate allotment of a new Index Mark and number will facilitate subsequent renewal, and save the trouble of getting the registration altered on the expiry of the period of one year from the date of entry. It will, of course, be understood that no pressure should be brought to bear upon the applicant, who has a legal right to retain his foreign or Q.Q. number, but it is thought that friendly advice will in most cases be accepted without demur.

Amounts payable on taking out a Licence after the Expiry of an International Circulation Permit.

Date of Entry into United Kingdom.	Duty Payable on	Percentage of Full Annual Duty payable on taking out Licence.			
		Expiring—	Percentage.	Expiring—	Percentage.
1921.					
1st Jan.	1st May, 1921	30th June, 1921	60	31st Dec., 1921	100
1st Feb.	1st June, 1921		60		100
1st Mar.	1st July, 1921	30th Sept., 1921	90	"	100
25th Mar.	25th July, 1921	"	60	"	90
1st April	1st Aug., 1921	"	60	"	90
1st May	1st Sept., 1921	"	60	"	90
1st June	1st Oct., 1921	—	—	"	90
1st July	1st Nov., 1921	—	—	"	60
1st Aug.	1st Dec., 1921	—	—	"	60
1st Sept.	1st Jan., 1922	24th Mar., 1922	{ 30 + 60 arrears.	31st Dec., 1922	{ 100 + 60 arrears.
1st Oct.	1st Feb., 1922	"	{ 30 + 30 arrears.	"	{ 100 + 30 arrears.
1st Nov.	1st Mar., 1922	"	{ 30 + 30 arrears.	"	{ 100 + 30 arrears.
25th Nov.	25th Mar., 1922	30th June, 1922	{ 60 + 30 arrears.	"	{ 100 + 30 arrears.
1st Dec.	1st April, 1922	"	{ 60 + 30 arrears.	"	{ 100 + 30 arrears.
1922 (and subsequent years).					
1st Jan.	1st May, 1922	30th June, 1922	60	31st Dec., 1922	100
1st Feb.	1st June, 1922	"	50	"	100
1st Mar.	1st July, 1922	30th Sept., 1922	70	"	90
25th Mar.	25th July, 1922	"	60	"	90
1st April	1st Aug., 1922	"	60	"	80
1st May	1st Sept., 1922	"	50	"	70
1st June	1st Oct., 1922	—	—	"	60
1st July	1st Nov., 1922	—	—	"	50
1st Aug.	1st Dec., 1922	—	—	"	50
1st Sept.	1st Jan., 1923	24th Mar., 1923	{ 30 + 40 arrears.	31st Dec., 1923	{ 100 + 40 arrears.
1st Oct.	1st Feb., 1923	"	{ 30 + 30 arrears.	"	{ 100 + 30 arrears.
1st Nov.	1st Mar., 1923	"	{ 30 + 20 arrears.	"	{ 100 + 20 arrears.
25th Nov.	25th Mar., 1923	30th June, 1923	{ 60 + 20 arrears.	"	{ 100 + 20 arrears.
1st Dec.	1st April, 1923	"	{ 60 + 10 arrears.	"	{ 100 + 10 arrears.

NOTE.—The payments for 1922 and subsequent years are calculated above on the rates of duty payable in respect of part-year licences, as authorized by the Order which will be made under Section 22 of the Finance Act, 1921.

THE FINANCE ACT, 1920.

(10 & 11 Geo. 5, c. 18.)

The Roads Act, 1920 (p. 208), by sections 7 and 8 interprets the following section and the Schedule.

Duty on
licences for
mechanically
propelled
vehicles.

13.—(1) Any excise duty which is chargeable at the commencement of this Act in respect of any vehicle which is chargeable with duty as a mechanically propelled vehicle under this section shall cease to be chargeable as from the first day of January, nineteen hundred and twenty-one, and on and after that date there shall be charged, levied, and paid in Great Britain and Ireland in respect of mechanically propelled vehicles used on public roads duties of excise at the rates specified in the Second Schedule to this Act.

(2) The duties charged under this section shall be paid annually upon licences to be taken out by the person keeping the vehicle :

Provided that—

(a) [repealed by Finance Act, 1921, see below.]

(b) where a person commences to keep or use a *cycle or* tramcar on or after the first day of October in any year, he shall, on delivering a declaration in writing signed by him to that effect, be entitled to take out a licence for that vehicle on payment of one-half of the full annual duty.

(3) The unit of horse-power for the purpose of any rate of duty under the Second Schedule to this Act shall be calculated in accordance with regulations made by the Minister of Transport for the purpose.

(4) No duty shall be payable under this section in respect of fire-engines, vehicles kept by a local authority while they are used for the purposes of their fire brigade service, ambulances, or road rollers.

(5) The Minister of Transport may make regulations providing for the total or partial exemption for a limited period from the duty payable under this section of any vehicle brought into the United Kingdom by persons making only a temporary stay in the United Kingdom.

By the Finance Act, 1921, the above subsection has been amended as follows:—

THE FINANCE ACT, 1921, 11 & 12 Geo. 5, c. 32.

Power to
issue
licences
mechanically
propelled
vehicles for
periods less
than a year.

22.—(1) On and after the first day of January, nineteen hundred and twenty-two, licences under the Finance Act, 1920, in respect of mechanically propelled vehicles (other than tramcars or vehicles on which a duty of five shillings is chargeable under that Act) may be taken out for such periods of the year and on payment of duty at such rates as the Minister of Transport may by order prescribe :

Provided that—

(a) every rate of duty prescribed under this section in respect of a licence taken out for any vehicle for any period of the year shall be such as to bear to the full annual duty chargeable in respect of that vehicle no less proportion than the period for which the licence is taken out bears to a year ; and

(b) the rate of duty so prescribed in respect of a licence for any vehicle to which proviso (a) to subsection (2) of section thirteen of the Finance Act, 1920, applies for any such period as is mentioned in that proviso shall not exceed thirty per cent. of the full annual duty, and the rate prescribed in respect of a licence for a cycle taken out on or after the first day of October in any year shall not exceed one-half of the full annual duty.

(2) Proviso (a) to subsection (2) of section thirteen of the Finance Act, 1920, and the words "cycle or" in proviso (b) to the said subsection are hereby repealed.

Second Schedule.

DUTIES ON MECHANICALLY PROPELLED VEHICLES.

Description of Vehicle.	Rate of Duty.	Finance Act, 1920, 10 & 11 Geo. 5, c. 18.
1. Cycles (including motor scooters and cycles with an attachment for propelling the same by mechanical power) not exceeding 8 cwt. in weight unladen* :—		
Bicycles—		
Not exceeding 200 lb. in weight unladen*	£1 10s.	
Exceeding 200 lb. in weight unladen*	£3	
Bicycles, if used for drawing a trailer or side-car, an additional sum of £1.		
Tricycles	£4	
2. Vehicles* (including cycles with an attachment for propelling the same by mechanical power) not exceeding 5 cwt. in weight unladen adapted and used for invalids..	5s.	
3. Vehicles* being hackney carriages as defined in section 4 of the Customs and Inland Revenue Act, 1888 :—		
	In the Metropolitan Police area and such other districts as the Minister of Transport may fix.	In all other districts.
Tramcars	15s.	15s.
Other vehicles* :		
Seating not more than 6 persons ..	£15	£12
Seating more than 6 but not more than 14 persons	£30	£24
Seating more than 14 but not more than 20 persons	£45	£36
Seating more than 20 but not more than 26 persons	£60	£48
Seating more than 26 but not more than 32 persons	£72	£60
Seating more than 32 persons.. ..	£84	£70
In this paragraph the number of persons mentioned does not include the driver of the vehicle.		
4. Vehicles* of the following descriptions used solely in the course of trade, or in agriculture (that is to say) :—		
Locomotive ploughing engines, tractors, agricultural tractors, and other agricultural engines, not being engines or tractors used for hauling on roads any objects except their own necessary gear, threshing appliances, farming implements, or supplies of fuel or water required for the purposes of the vehicle or for agricultural purposes		5s.
Road locomotives and agricultural engines, other than such engines in respect of which a duty of 5s. is chargeable or which are used for haulage solely in connection with agriculture—		
Not exceeding 8 tons in weight unladen ..	£25	
Exceeding 8 tons but not exceeding 12 tons in weight unladen.. ..	£28	
Exceeding 12 tons in weight unladen	£30	

* See Roads Act, 1920, p. 211.

Tractors, agricultural tractors, and agricultural engines; other than such tractors or engines in respect of which a duty of 5s. is chargeable, used for haulage solely in connection with agriculture—

Not exceeding 5 tons in weight unladen	£6
Exceeding 5 tons in weight unladen	£10
Tractors of any other description	£21

5. Vehicles* (including tricycles weighing more than 8 cwt. unladen) constructed or adapted for use and used solely for the conveyance of goods in the course of trade*—

Being vehicles which are electrically propelled and which do not exceed 25 cwt. in weight unladen ..	£6
Being vehicles other than such electrically propelled vehicles as aforesaid.	
Not exceeding 12 cwt. in weight unladen	£10
Exceeding 12 cwt. but not exceeding 1 ton in weight unladen	£16
Exceeding 1 ton but not exceeding 2 tons in weight unladen	£21
Exceeding 2 tons but not exceeding 3 tons in weight unladen	£25
Exceeding 3 tons but not exceeding 4 tons in weight unladen	£28
Exceeding 4 tons in weight unladen	£30
With an additional duty, in any case if used for drawing a trailer, of	£2

6. Any vehicles other than those charged with duty under the foregoing provisions of this schedule :—

Not exceeding 6 horse-power or electrically propelled	£6
Exceeding 6 horse-power	£1 for each unit or part of a unit of horse-power.

If any person proves to the satisfaction of the authority charged with levying the duty that he has paid in respect of any vehicle the duty chargeable under this paragraph, and that the engine of the vehicle was constructed before the first day of January nineteen hundred and thirteen, he shall be entitled to repayment of 25 per cent. of the duty paid.

Previously to the Finance Act, 1920, and the Roads Act, 1920, the licences on locomotives (now called vehicles) were imposed by section 9 of the Locomotives Act, 1898, which is now repealed.

Agricultural locomotives defined by section 17 of the Locomotives Act, 1898, to include "(a) any locomotive used solely for threshing, ploughing, or any other agricultural purpose; and (b) any locomotive the property of one or more owners or occupiers of agricultural land employed solely for the purposes of their farms, and not let on hire," were exempted from the obligation to be licensed.

The following cases have arisen under the above definition of agricultural locomotive :—

Cole v. Harrop, 85 L.J. K.B. 494; 113 L.T. 1013. An agricultural locomotive included a locomotive used for the purpose of removing night soil and carting it to farms.

Dobson v. Jennings, 83 J.P. 259; 17 L.G.R. 769. A farmer who bought a locomotive at A and drove it to his farm, where he intended to convert it to an agricultural purpose, was using the locomotive on the journey from A to his farm as an agricultural locomotive.

* See Roads Act, 1920, p. 211.

Williams v. Morgan, 85 J.P. 191; 19 L.G.R. 409. A used his father's agricultural locomotive to draw a locomotive which he had purchased to a repair shop. A had purchased the second locomotive for purposes of agriculture.

Held, that whether A was or was not a farmer he was using the first locomotive for an agricultural purpose.

L.C.C. v. Lee, [1914] 3 K.B. 255. A locomotive drawing market trollies laden with farm produce intended for sale was held to be employed for the purposes of the farm within the words of section 17 quoted above.

The definition of hackney carriage referred to in the above section of the Finance Act, 1920, will be found in the following section, which also gives the excise licences on horse-drawn vehicles.

The Customs and Inland Revenue Act, 1888.

51 & 52 Vict.
c. 8, s. 4.

4.—(1) The duties of excise for carriages now payable in Great Britain shall cease to be payable on and after the first day of January, one thousand eight hundred and eighty-nine, and on and after that day there shall be granted, charged, and paid in Great Britain the following duties of excise, that is to say :—

	£	s.	d.
For every carriage as hereinafter defined—			
If such carriage shall have four or more wheels, and shall be drawn, or be adapted or fitted to be drawn, by two or more horses or mules, or shall be drawn or propelled by mechanical power	2	2	0
If such carriage shall have four or more wheels, and shall be drawn or be adapted or fitted to be drawn by one horse or mule only	1	1	0
If such carriage shall have less than four wheels	0	15	0
For every hackney carriage as hereinafter defined	0	15	0

and such duties shall be paid annually upon licences to be taken out under the provisions of the Act of the thirty-second and thirty-third years of Her Majesty's reign, chapter 14, as amended by any enactment; and in the construction of that Act as applicable to a licence for a carriage or hackney carriage under this Act, the term "carriage," as therein used, shall embrace a "hackney carriage" as well as a "carriage" as herein defined.

(2) Where a person commences to keep or use a carriage or a hackney carriage on or after the first day of October in any year, he shall, upon delivering a declaration in writing signed by him to that effect, be entitled to take out a licence for such carriage or hackney carriage upon payment of one-half of the amount of the duty which would otherwise be payable in respect thereof.

(3) In the construction of this section, each of the following terms has the meaning hereby assigned to it :—

"Carriage" means and includes any carriage (except a hackney carriage) drawn by a horse or mule, or horses or mules, or drawn . . . upon a road or tramway, . . . but shall not include a waggon, cart, or other such vehicle, which is constructed or adapted for use, and is used solely for the conveyance of any goods or burden in the course of trade or husbandry, and whereon the Christian name and surname, and place of abode, or place of business of the person, or the name or style and principal or only place of business of the company or firm, keeping the same, shall be visibly and legibly painted in letters of not less than 1 inch in length. "Carriage."

"Hackney carriage" means any carriage standing or plying for hire, and includes any carriage let for hire by a coachmaker or other person whose trade or business it is to sell carriages or to let carriages for hire, provided that such carriage is not let for a period amounting to three months or more. "Hackney carriage."

[The section is given as it stands amended by the Roads Act, 10 & 11 Geo. 5, c. 72.]

THE ROADS ACT, 1920.

(10 & 11 Geo. 5, c. 72.)

Levying
by county
councils of
duties on
mechanically
propelled
vehicles and
other
carriages.

10 & 11
Geo. 5, c. 18.
51 & 52 Vict.
c. 8.

1.—(1) The duties on licences for mechanically propelled vehicles (in this Act referred to as “vehicles”), imposed by section 13 of the Finance Act, 1920, as amended by this Act, and the excise duties on licences for carriages imposed by section 4 of the Customs and Inland Revenue Act, 1888, shall, as from the first day of January, nineteen hundred and twenty-one, be levied by county councils in accordance with provisions to be made for the purpose by Order in Council.

(2) Subject to the provisions of this Act and of any Order in Council made under this section, every county council and their officers shall, as from the said first day of January, nineteen hundred and twenty-one, have within their county for the purpose of levying the duties aforesaid (in this Act referred to as “the said duties”), the same powers, duties, and liabilities as the Commissioners of Customs and Excise and their officers have with respect to duties of excise, and to the issue and cancellation of licences on which duties of excise are imposed, and other matters under the Acts relating to duties of excise and excise licences, and all enactments relating to those duties and to punishments and penalties in connection therewith shall apply accordingly.

(3) Every county council shall, subject to the provisions of any Order in Council made under this section, have as respects the said duties and licences the powers given by the said Acts to the Treasury for the restoration of any forfeiture and the mitigation or remission of any penalty or any part thereof.

(4) The duties levied by a county council under this section shall be paid into the Exchequer in such manner and in accordance with such directions as may be contained in any Order in Council made under this section.

(5) Provision may be made by Order in Council under this section for enabling the Minister to give such directions to county councils as he thinks necessary for securing uniformity of administration and otherwise for carrying the provisions of this Act and of any such Order into effect, and it shall be the duty of county councils to comply with any directions so given.

(6) An Order in Council made under this section may be revoked, varied, or amended, by a subsequent Order so made.

5.—(1) Every person applying for a licence under section 13 of the Finance Act, 1920, as amended by this Act, or under section 4 of the Customs and Inland Revenue Act, 1888, shall make such a declaration and furnish such particulars with respect to the vehicle or carriage for which the licence is to be taken out or otherwise as may be prescribed.

(2) Subject to the provisions of this Act as to general licences, every licence issued under section 13 of the Finance Act, 1920, as amended by this Act, shall be issued in respect of the vehicle specified in the application for the licence and shall not entitle the person to whom it is issued to use any other vehicle, and a county council shall not be required to issue any licence for which application is made unless they are satisfied that the licence applied for is the appropriate licence for the vehicle specified in the application, and, in the case of an application for a licence for a vehicle purporting to be the first application for a licence in respect of the vehicle, that a licence has not previously been issued in respect of that vehicle.

Provisions
as to
licences.

(3) Where any vehicle in respect of which any such licence as aforesaid has been issued is altered after the licence has been issued in such manner as to cause the vehicle to become a vehicle in respect of which a licence at a higher rate of duty or a licence of a different class is required, the licence shall become void, but the holder of the licence shall, on surrendering the same and furnishing the prescribed particulars, be entitled to receive a new licence in respect of the vehicle, to have effect for the period for which the surrendered licence would, if it had not been surrendered, have remained in force, on payment of such amount, if any, as represents the difference between the amount payable on the new licence and the amount paid on the surrendered licence.

(4) Notwithstanding anything in the provisions of the Acts relating to Excise licences and without prejudice to those provisions, any such licence as aforesaid may be transferred in the prescribed manner.

(5) Subject as may be prescribed, every such licence as aforesaid shall, in the prescribed manner, be fixed to and exhibited on the vehicle in respect of which it is issued.

(6) Sections 20 and 21 of the Revenue Act, 1869, shall, subject to such modifications and exceptions as may be prescribed, apply to the declaration to be prescribed under this section, and sections 22 and 23 of the said Act shall have effect as though references to the declaration to be so prescribed as aforesaid were therein substituted in relation to carriages for references to the declaration under that Act. 32 & 33 Vict.
c. 14.

6.—(1) On the first issue by a county council of a licence under section 13 of the Finance Act, 1920, as amended by this Act, for a vehicle it shall be the duty of the council to register the vehicle in the prescribed manner without any further application in that behalf by the person taking out the licence, and, subject to the provisions of this section, every such council shall assign a separate number to every vehicle registered with them, and a mark indicating the registered number of the vehicle and the council with which the vehicle is registered shall be fixed on the vehicle or on any other vehicle drawn by that vehicle or on both in the prescribed manner : Registration
and identification
marks.

Provided that any number which has been assigned to a motor car under section 2 of the Motor Car Act, 1903, and which is the registered number of that car on the first day of January, nineteen hundred and twenty-one, shall be treated as having been assigned to the car under the provisions of this section and no new number shall be assigned to such a car. 3 Edw. 7,
c. 36.

(2) If the mark to be fixed in accordance with this Act is not so fixed, or if, being so fixed, it is in any way obscured or rendered or allowed to become not easily distinguishable, the person driving the vehicle shall for each offence be liable on summary conviction in respect of the first offence to a penalty not exceeding twenty pounds, and in respect of a second or subsequent offence to a penalty not exceeding fifty pounds :

Provided that a person charged under this section with obscuring a mark or rendering or allowing it to become not easily distinguishable, shall not be liable to be convicted on the charge if he proves that he has taken all steps reasonably practicable to prevent the mark being obscured or rendered not easily distinguishable.

A person shall not be liable to a penalty under this section if he proves that he has had no reasonable opportunity of registering the vehicle

in accordance with this section, and that the vehicle is being driven on a public road for the purpose of being so registered.

[See *Printz v. Sewell*, 106 L.T. 880, which was decided under the now repealed section (2) of the Motor Car Act, 1903.]

Amendment
of
59 & 60 Vict.
c. 36,
3 Edw. 7,
c. 36, and
9 Edw. 7,
c. 37.

7.—(1) References in section 10 of the Motor Car Act, 1903, to motor cars shall be deemed to include references to vehicles within the meaning of this Act.

(2) In para. (c) of subsection (1) of section 4 of the Motor Car Act, 1903, the words "may cause" shall be substituted for the words "shall cause," and the words "where any particulars are so endorsed" shall be substituted for the word "also," and in subsection (2) of that section the words, "if so required by the convicting court" shall be inserted after the word "shall."

(3) Where a person who is the holder of a licence which has been endorsed under section 4 of the Motor Car Act, 1903, or under that section as amended by this Act, has not during a continuous period of not less than three years had any conviction so endorsed on the licence, he shall be entitled, either on applying for a renewal of the licence or, subject to payment of a fee of five shillings, at any time, to have issued to him a new licence free from endorsements.

Restriction
on certain
highways.

(4) The Minister may, by order on the application of any county council after holding a public inquiry, prohibit or restrict, subject to such exceptions or conditions as to occasional user or otherwise as may be specified in the order, the driving of vehicles of any specified class on any specified highway within the area of the council in any case in which it appears to him, as the result of the inquiry, to be proved that a vehicle of that class cannot be used on that highway without endangering the safety of the vehicle or the persons therein or of other traffic using the highway, or that the highway is unsuitable for use by a vehicle of that class:

Provided that—

- (a) the Minister may at any time, after giving notice in that behalf to the county council on whose application the order was made, and after considering any objections made by that council, but without holding any public inquiry, revoke, vary, or amend any order made under this subsection; and
- (b) every order made under this subsection shall require the authority responsible for the maintenance of the highway to which the order relates to give in the prescribed manner notice of the fact that an order has been made under this subsection with respect to that highway.

The provisions contained in the Second Schedule to this Act shall have effect with respect to applications and inquiries under this subsection.

The foregoing provisions of this subsection shall be substituted for section 8 of the Motor Car Act, 1903.

Speed.

(5) The power of the Minister under subsection (2) of section 12 of the Motor Car Act, 1903, to make regulations as to the speed of motor cars exceeding 2 tons in weight unladen shall include power to make regulations as to the speed on any road of any agricultural tractor whether it exceeds 2 tons in weight unladen or not.

(6) For the purposes of the Motor Car Acts, 1896, and 1903, and of any other enactments relating to the use of vehicles on roads, the

weight unladen of any vehicle shall be taken to be the weight of the vehicle inclusive of the body and all parts (the heavier being taken where alternative bodies or parts are used) which are necessary to or ordinarily used with the vehicle when working on a road, but exclusive of the weight of water, fuel, or accumulators (other than boilers) used for the purpose of propulsion and of loose tools or loose equipment :

Provided that, in the case of a vehicle which weighs more than $7\frac{1}{4}$ tons and is specially constructed so that all or part of the superstructure is a permanent, or essentially permanent, fixture and the axle-weights of which do not exceed the maximum axle-weights prescribed under the Motor Car Act, 1903, or any Act amending that Act, the weight unladen of the vehicle shall be deemed to be $7\frac{1}{4}$ tons.

(7) All sums received by a county council by way of fees for licences granted under section 3 of the Motor Car Act, 1903, and all penalties recovered in respect of offences under the Motor Car Acts, 1896 and 1903, shall be paid into the Exchequer in such manner and in accordance with such directions as may be contained in any Order in Council made under this Act.

(8) The Motor Car (International Circulation) Act, 1909, shall have effect as though the references therein to the Motor Car Act, 1903, included references to this Act.

8.—(1) For the purpose of section 13 of the Finance Act, 1920, and the Second Schedule to that Act, the expression "vehicle" shall not include any vehicle used on tram lines except a tramcar used for the conveyance of passengers.

Amendment
of s. 13 and
Second
Schedule of
10 & 11
Geo. 5, c. 18.

(2) For the purposes of para. 5 of the Second Schedule to the Finance Act, 1920, a vehicle shall not be deemed to be used otherwise than solely for the conveyance of goods in the course of trade by reason only that it is used for the conveyance in the course of their employment of persons who are in the employment of the person keeping the vehicle.

(3) Where a licence has been taken out as for a vehicle to be used solely for a certain purpose and the vehicle is at any time during the period for which the licence is in force used for some other purpose, the person so using the vehicle shall, if the rate of duty chargeable in respect of a licence for a vehicle used for that other purpose is higher than the rate chargeable in respect of the licence held by him, be liable to an excise penalty of an amount equal to three times the difference between the duty actually paid on the licence and the duty payable on a licence appropriate to a vehicle used for that other purpose or twenty pounds, whichever amount is the greater.

It is to be noted that the words "solely for a certain purpose" form the foundation of the offence hereby created. A charge which omits these words is not sustainable under this subsection. The subsection is a penal section and is to be construed strictly. *R. v. Wood*, 38 T.L.R. 269; 20 L.G.R. 189.

(4) Where a hackney carriage is a vehicle of the class mentioned in para. 1 or para. 2 of the Second Schedule to the Finance Act, 1920, it shall be charged with duty under para. 1 or para. 2, as the case may be, and not under para. 3 of that Schedule.

(5) The expression "weight unladen" in the Second Schedule to the Finance Act, 1920, shall have the same meaning as in the Motor Car Acts, 1896 and 1903, as amended by this Act.

Weight
unladen.

Provision as to licence duty in case of manufacturers or dealers in mechanically propelled vehicles.

9.—(1) If any person being a manufacturer of or dealer in vehicles makes, in the prescribed manner, an application in that behalf to the council of the county in which his business premises are situate, that he may be entitled, in lieu of taking out a licence for each vehicle kept by him at the appropriate rate of duty chargeable under the Second Schedule to the Finance Act, 1920, to take out a general licence in respect of all vehicles used by him the council may, subject to the prescribed conditions, issue to him such a licence on payment of duty at the yearly rate of ten pounds, or, in the case of a licence to be used only on vehicles chargeable with duty under para. 1 or para. 2 of the said Schedule, at the yearly rate of thirty shillings :

Provided that—

- (a) licences under this section at the yearly rate of ten pounds may be taken for one-quarter of the year only beginning the first day of January, the twenty-fifth day of March, the first day of July, or the first day of October, and in the case of any licence so taken out the duty shall be 30 per cent. of the full annual duty ; and
- (b) the holder of any licence issued under this section shall not be entitled by virtue of that licence to use more than one vehicle at any one time, except in the case of a vehicle drawing a trailer and used for the prescribed purpose, or to use any vehicle for any purpose other than such purposes as may be prescribed ; and
- (c) nothing in this section shall operate to prevent a person entitled to take out a general licence from holding two or more such licences.

(2) Provision may be made by regulations under this Act for assigning a general identification mark to a person holding any licence issued under this section.

(3) If any person is aggrieved by the refusal of a council to issue a general licence under this section, he may appeal to the Minister, and the Minister shall, on any such appeal, make such order in the matter as he thinks just, and the council shall comply with any order so made.

An order made by the Minister under this provision shall be final and not subject to appeal to any court, and shall, on the application of the Minister, be enforceable by writ of mandamus.

[Cases decided under the corresponding repealed section 2 of the Motor Car Act of 1903 are *Phelon v. Keel*, [1914] 3 K.B. 165 ; *Caldwell v. Hague*, 84 L.J. K.B. 543 ; 112 L.T. 502.]

Power to modify or determine charges for use of vehicles on roads.

10. Where any persons are, whether by virtue of any Act or otherwise, liable to pay any sums, by way of mileage charges or other annual payments, in respect of the use of any road by their vehicles, the Minister may, on an application by those persons in that behalf, and after considering any objections made by any person interested, suspend, modify or determine the liability to make the payment as he shall think fit.

Special provisions as to hackney carriages.

11.—(1) There shall, subject to the prescribed exceptions, be exhibited on every vehicle which is chargeable with duty as a hackney carriage, in conjunction with the mark required under this Act to be fixed on the vehicle indicating the registered number of the vehicle, a distinctive sign indicating that the vehicle is a hackney carriage and the number of persons which the vehicle seats, and regulations made

by the Minister under this Act shall provide for the sign to be so exhibited.

The penalties imposed by this Act in relation to the identification mark to be fixed to a vehicle shall apply to the sign to be exhibited under this provision as they apply to the identification mark so to be fixed.

(2) Where a licence has been taken out in respect of any vehicle at the rate of duty appropriate to a hackney carriage seating not more than a certain number of persons, the person keeping the vehicle shall, if it is used on any occasion for the purpose of seating more persons than the number aforesaid, be liable to an excise penalty of an amount equal to three times the difference between the duty actually paid on the licence and the duty payable on a licence for a vehicle being a hackney carriage seating that greater number of persons.

(3) Where not less than twelve vehicles of a similar type being hackney carriages, and belonging to one owner, are registered with a county council, and the council is satisfied that one of those vehicles (hereinafter referred to as "the old vehicle") has been destroyed or withdrawn permanently from use as a hackney carriage, the council shall, on issuing to that owner a licence in respect of another hackney carriage to be used for the same purpose as the old vehicle allow a rebate from the duty payable on that licence at the rate of one-quarter of the duty paid in respect of the licence for the old vehicle for every complete three months between the date when the old vehicle was destroyed or withdrawn, and the expiration of the licence for that vehicle, and, where any such rebate is so allowed, the licence for the old vehicle shall be forthwith cancelled.

12.—(1) The Minister may make regulations generally for the purpose of carrying this Act into effect, and in particular, without prejudice to the generality of the foregoing provision, may make regulations— Regulations.

- (a) with respect to the registration of vehicles ; and
- (b) requiring county councils to make the prescribed returns with respect to vehicles registered with them, and for making any particulars contained in the register available for use by the prescribed persons ; and
- (c) prescribing the size, shape, and character of the identification marks or the signs to be fixed on any vehicle and the manner in which those marks or signs are to be displayed and rendered easily distinguishable, whether by night or by day ; and
- (d) requiring any person to whom any vehicle is sold or disposed of to furnish the prescribed particulars in the prescribed manner ; and
- (e) providing for the issue of registration books in respect of the registration of any vehicle, and for the surrender and production, and the inspection by the prescribed persons, of any book so issued, and for the issue of new registration books and new licences in the place of any such books or licences which may be lost or destroyed, and for the fee (not exceeding five shillings) to be paid on the issue of a new registration book or licence ; and
- (f) prescribing the form of, and the particulars to be included in, the register with respect to vehicles for which a general licence has been taken out by a manufacturer or dealer, and the

identification marks to be carried by any such vehicle, and defining the purposes for which the holder of a general licence may use a vehicle on a road ; and

- (g) extending any provisions as to registration, and provisions incidental to any such provisions, to any vehicles in respect of which duty under section 13 of the Finance Act, 1920, is not payable (including vehicles belonging to the Crown), and for providing for the identification of any such vehicles ; and
- (h) prescribing any matter which is to be prescribed under this Act.

(2) Every regulation made under this Act shall be laid before each House of Parliament as soon as may be after it is made, and, if an address is presented to His Majesty within twenty-one days on which that House has sat next after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

(3) County councils shall comply with any regulations so made by the Minister under this Act.

(4) If any person acts in contravention of, or fails to comply with, any regulations made under this Act, he shall, for each offence, be liable on summary conviction to a penalty not exceeding twenty pounds.

Penalties.

13.—(1) If any person uses any vehicle for which a licence under the Finance Act, 1920, as amended by this Act, is not in force, or being the holder of a general licence or general licences issued under this Act, uses at any one time a greater number of vehicles than he is authorized to use by virtue of that licence or those licences, he shall be liable to an excise penalty of twenty pounds, or an excise penalty equal to three times the amount of the duty payable in respect of the vehicle or vehicles, whichever is the greater.

Proceedings for a penalty under this subsection may be brought at any time within a period of twelve months from the date on which the offence was committed.

(2) If any person in connection with an application for a licence for a vehicle or a carriage makes a declaration which to his knowledge is false or in any material respect misleading, or if any person being required by virtue of this Act to furnish particulars in connection with a change of the registration of any vehicle furnishes any particulars which to his knowledge are false or in any material respect misleading, he shall be liable on summary conviction to a penalty not exceeding fifty pounds or to imprisonment with or without hard labour for a term not exceeding six months.

(3) If in any proceedings under this section any question arises as to the number of vehicles used or as to the character, weight, or horse-power of any vehicle or as to the number of persons seated by a vehicle, or as to the purpose for which any vehicle has been used, the burden of proof in respect of the matter in question shall lie on the defendant.

(4) If any person forges or fraudulently alters or uses or fraudulently lends or allows to be used by any other person any mark for identifying a vehicle or any licence or registration book under this Act, he shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for a term not exceeding six months.

(5) All penalties and forfeitures recovered under or in pursuance of this Act, whether by a county council or by any other person, shall be paid into the Exchequer in such manner and in accordance with such directions as may be contained in any Order in Council made under this Act.

14.—(1) As from the first day of January, nineteen hundred and twenty-one, any fees or charges, by whatever name called, payable under any general or special Act to any county council, local or police authority in respect of the licensing of any vehicle (other than a tramcar) shall cease to be payable. Local licensing fees to cease to be chargeable.

(2) Any person who at the commencement of this Act is the holder of any licence issued by any county council or local or police authority in respect of any vehicle (other than a tramcar), being a licence in respect of which a fee or charge exceeding five shillings has been paid, or to whom a general identification mark has been assigned under proviso (b) to subsection (4) of section 2 of the Motor Car Act, 1903, shall be entitled, on making an application in the prescribed manner to the prescribed county council, local or police authority, to obtain a repayment in respect of the fee or charge paid by him for the licence or mark at the rate of one-twelfth of the amount so paid in respect of every complete month for which the licence or mark continues in force after the thirty-first day of December, nineteen hundred and twenty, and any sums paid under this provision by a county council shall be treated for the purposes of this Act as expenses incurred by the council in the levying of the duties, and any sums so paid by a local or police authority shall be repaid to the authority out of the Road Fund.

(3) Where, upon application for a licence to ply for hire with an omnibus, the licensing authority either refuses to grant a licence or grants a licence subject to conditions, in either case the applicant shall have a right of appeal to the Minister of Transport from the decision of the licensing authority, and the Minister shall have power to make such order thereon as he thinks fit, and such order shall be binding upon the licensing authority.

An order made by the Minister under this subsection shall be final and not subject to appeal to any court, and shall, on the application of the Minister, be enforceable by writ of mandamus.

For the purpose of this subsection, the expression "omnibus" includes every omnibus, char-à-banc, waggonette, brake, stage coach, or other carriage plying for hire or used to carry passengers at separate fares.

15. Para. (3) of section 28 of the Highways and Locomotives (Amendment) Act, 1878 (which prescribes the maximum weight of locomotives to be used on highways), shall have effect as though such weight as may be prescribed were therein substituted for 14 tons, and different weights may be prescribed with respect to different classes of locomotives. Amendment of s. 28 of 41 & 42 Vict. c. 77.

17. In this Act, unless the context otherwise requires,—

The expression "county" includes a county borough, and the expression "county council" shall be construed accordingly;

The expression "the Minister" means the Minister of Transport;

The expression "prescribed" means prescribed by regulations;

The expression "use" means use on a public road;

The expression "police authority" includes the receiver for the metropolitan police district.

Interpretation.

Short title,
commence-
ment, and
repeal.

20.—(1) This Act may be cited as the Roads Act, 1920.

(2) This Act shall come into operation on the first day of January, nineteen hundred and twenty-one.

(3) The enactments set out in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

Section 7.

Second Schedule.

Provisions as to Applications and Inquiries with respect to Closing of Highways.

(1) Every application by a county council that the driving of vehicles on any highway may be prohibited or restricted shall be made in the prescribed form, and shall state the grounds upon which the application is made.

(2) The Minister, on receiving any such application as aforesaid, shall forthwith take steps for the holding of an inquiry to consider the application, and shall, for that purpose, appoint a competent and impartial person to hold the inquiry and to report to him thereon.

(3) The Minister shall publish in the *London, Edinburgh, or Dublin Gazette*, as the case requires, and once at least in each of two consecutive weeks in some local newspaper circulating in the district in which the highway to which the application relates is situate, notice of the fact that an inquiry will be held to consider the application, and the notice shall contain sufficient particulars of the application, and shall contain a statement as to the time and place at which the inquiry will be held, and shall also state that all persons interested may attend and be heard at the inquiry.

(4) The inquiry shall be held in public and, subject as hereinbefore provided, all persons interested may appear at the inquiry either in person or by counsel, agent, or solicitor :

Provided that no person shall be entitled to be heard at the inquiry unless he has, within one week from the last publication of the notice of the holding of the inquiry, sent a notice in writing to the Minister of his desire to be heard at the inquiry, and the person holding the inquiry may refuse to hear any person if he is satisfied that the views of that person have been adequately stated on the inquiry by some other person.

(5) A witness on the inquiry may, if the person holding the inquiry thinks fit, be examined on oath, and the person holding the inquiry shall, for that purpose, have power to administer an oath.

(6) Subject as aforesaid, the inquiry and all proceedings incidental thereto shall be conducted in the prescribed manner.

Third Schedule.

Section 20.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
59 & 60 Vict. c. 36.	The Locomotives on Highways Act, 1896.	Subsection (2) of section 1.
61 & 62 Vict. c. 29.	The Locomotives Act, 1898.	Sections 9, 10, and 11; in subsection (1) of section 17 the definition of "agricultural locomotive"; and subsection (3) of section 18.
3 Edw. 7, c. 36.	The Motor Car Act, 1903.	Sections 2 and 5; para. (a) of subsection (1) of section 7; in subsection (2) of that section the words "the entry of particulars of the ownership of a car on change of ownership, such fee, not exceeding ten shillings, as may be prescribed by the regulations, and in respect of"; and section 8.
9 Edw. 7, c. 47.	The Development and Road Improvement Funds Act, 1909.	Section 7; subsection (3) of section 8; subsection (2) of section 11; and sections 12 and 14.

THE ROAD VEHICLES (REGISTRATION AND LICENSING) REGULATIONS, 1921.

(Dated 9th March, 1921.)

1.—(1) These Regulations may be cited as "The Road Vehicles (Registration and Licensing) Regulations, 1921."

(2) In these Regulations the expression "Council" means County Council as defined in the Roads Act, 1920; the expression "approved" means approved by the Minister of Transport.

The expression "Local Taxation Officer" means the selected officers of the Council to whom powers or duties exercisable or performed by officers of Customs and Excise have been delegated by the council.

The expression "prescribed form" means such one of the forms indicated in the First Schedule hereto as may be appropriate, such forms being obtainable on application at a Post Office or at the Office of the Council.

The expression "owner" means the person by whom the vehicle or the carriage as the case may be is kept and used, and the expression "ownership" shall be construed accordingly.

PART I.

*Licensing and Registration of Mechanically Propelled Vehicles.**

2. A person who desires to obtain a licence for a mechanically propelled vehicle shall apply to the council in whose area such vehicle is ordinarily kept by means of a declaration in such one of the prescribed forms as shall be applicable.

* See p. 199 for modifications applicable to foreign cars.

3. A vehicle shall be deemed to be ordinarily kept in the area of the Council in which is situated the garage in which the vehicle is ordinarily kept.

Provided that where a person satisfies the Council of the area in which he declares his principal place of business or permanent postal address to be situated that a vehicle is not ordinarily kept in any one area, application for a licence may be made to that Council and a licence issued by them.

Licences.

4.—(1) Licences for mechanically propelled vehicles shall be in the form set out in the First Part of the Second Schedule hereto.

(2) In the case of all mechanically propelled vehicles (except tram-cars and road rollers) the licence shall be attached to and carried on the vehicle at all times when the vehicle is in use on a public road and subject as herein provided, in a holder in compliance with the specification set out in the Second Part of the Second Schedule hereto.

(3) The licence shall be carried on the vehicle :—

(a) *In the case of motor cycles (including motor scooters), motor cycles with trailer or side car, tricycles, and invalid carriages.*

In a conspicuous position on the near side of the vehicle ; and

(b) *In the case of all other vehicles (except when placed on or adjacent to the wind screen as hereinafter provided) :—*

On the near side of the vehicle facing toward the near side of the road and not less than 2 feet 6 inches nor more than 6 feet 6 inches from the ground level between two parallel lines, the first drawn vertically through the rearmost part of the driving seat or cab (or where no such fitting exists the foot plate), and the second drawn vertically 6 inches in front of the base of the front glass wind screen where fitted, or where no such wind screen is fitted, through a point 4 feet forward of the first line.

Provided that in the case of a vehicle fitted with a front glass wind screen extending across the vehicle to the near side, the licence may be carried facing either forwards or backwards on the near (left) lower corner of the glass of such wind screen, or within 2 inches of the glass either in front or behind it and so as to be visible through the glass either from in front or from behind. In the event of the licence being carried actually upon a glass portion of the vehicle, and otherwise complying with this Regulation, the obligation that it shall be carried in a metal holder with a clear glass front shall not be enforced if it is so carried as to be weatherproof.

The Licence Card shall be placed and carried so as to be clearly visible at all times by daylight to a person standing at the near side of the vehicle, whether such vehicle is moving or stationary.

Registration Book.

5.—(1) A Registration Book containing such particulars relative to the vehicle in respect of which it is issued as the Minister may from time to time direct shall be issued to every owner of a mechanically propelled vehicle in respect of which a licence is issued except in those cases where the form of declaration appropriate to over six vehicles of uniform type in the same ownership (Form R.F. 4A or 8A) has been used. In cases where Form R.F. 4A or 8A has been used the owner shall before selling or otherwise disposing of a vehicle included in such

declaration, apply to the Council by whom the vehicle is registered and obtain a Registration Book in respect of such vehicle and upon receipt of such application the Council shall issue such Registration Book. The Registration Book shall be produced for inspection by the owner at any reasonable time upon request of a Police Officer, Officer of H.M. Customs and Excise, or Local Taxation Officer.

(2) No person shall deface or mutilate any Registration Book or alter or obliterate any entry made therein or except as provided by these Regulations make any entry in or addition to such Registration Book.

6. If any alteration shall be made in a vehicle after it has been licensed and registered which affects the registration particulars contained in the declaration made by the owner of the vehicle, he shall forthwith notify such alteration to the Council with whom such vehicle is registered and forward to that Council his Registration Book. Alterations in vehicle.

Provided that where such alteration renders inaccurate any of the particulars shown upon the licence card for the vehicle, he shall also surrender the licence for the vehicle to the Council, who shall forthwith issue without charge a new licence valid for the same period as the surrendered licence.

7. If the character or the use of a vehicle shall be altered so as to render such vehicle liable to duty at a higher rate than that at which duty has been paid, the licence issued in respect of such vehicle shall become void, and the owner shall forward to the Council a new declaration form appropriate to the altered conditions, and shall pay the difference between the amount of the duty indicated upon the licence and the rate of duty payable in respect of the altered vehicle.

8.—(1) On the sale or other change of ownership of a vehicle the then registered owner of the vehicle shall insert in the appropriate part of the Registration Book the name and address of the transferee or other new owner, and forward such book to the Council with whom the vehicle is then registered. Ownership.

(2) The transferee or other new owner before he shall be entitled to use the vehicle on any public road shall notify the Council of the area in which the vehicle will be ordinarily kept by him that he has acquired the vehicle, and, unless the current licence has been delivered to him by the then registered owner, which delivery, if the provisions of this Regulation are otherwise complied with, shall operate as a transfer of the said licence, and shall obtain a licence in respect of the vehicle in accordance with these Regulations. Upon expiry of the current licence (if so transferred) he shall, if he intends to renew the licence, make application therefor under the provisions of Regulation 2.

9. In the case of any vehicle subject to duty on the basis of horsepower of which the engine was constructed before the first day of January, 1913, the owner of such vehicle may apply to the Council by whom the licence for the vehicle was issued, and upon showing to the satisfaction of the Council that such engine was in fact constructed before that date, shall be entitled to a refund of one-fourth of the duty paid in respect of such vehicle.

10. On a change of address the owner shall enter particulars of his new address in the space provided in the Registration Book, and shall forthwith forward the book with such particulars entered in it to the

Council by whom the vehicle is registered, who shall note the change of address and cause the book to be returned to the owner forthwith.

Vehicle
destroyed.

11.—(1) When any vehicle shall be broken up, destroyed, or sent permanently out of the United Kingdom, the owner shall notify the Council with whom such vehicle is registered, and shall return the Registration Book to the Council, or in case of a vehicle sent permanently out of the United Kingdom to the Customs office at the port of departure.

(2) Where a Council is satisfied that a vehicle has been broken up, destroyed, or sent permanently out of the United Kingdom, the value of the licence in respect of such vehicle shall be allowed to the owner upon his taking out a new licence for another vehicle of a similar class for the same period for which the previous licence was in force, but no part of the duty paid for the original licence shall be refunded.

Lost licence.

12.—(1) If a licence granted or a Registration Book issued by a Council under these Regulations has been lost, destroyed, or accidentally defaced, the registered owner of the vehicle may apply to the Council with whom the vehicle is registered for the grant or issue to him of a duplicate licence or Registration Book, as the case may be, and the Council upon being satisfied as to such loss, destruction, or defacement and, where the licence or Registration Book has been accidentally defaced, upon the surrender of the licence or Registration Book so defaced, shall issue a duplicate so marked on payment of a fee of five shillings, and the duplicate so issued shall have the same effect as the original licence or Registration Book.

(2) Where a Council is satisfied that a vehicle in respect of which a licence has been taken out has not been used upon any public road at any time during the currency of the licence, or that a general licence under Part II of these Regulations for which duty has been paid has not, in fact, been used at any time during its currency, the duty paid shall, upon surrender of the licence and Registration Book, or the General Licence, General Identification Plates and Book (as the case may be) be refunded.

Application
for licence.

13. Upon the receipt by a Council of an application for a licence and upon payment by the applicant of the amount of duty appropriate to the vehicle the Council to whom such application is made shall—

- (i) if they are satisfied that the vehicle in respect of which the application is made is ordinarily kept within their area or is one in respect of which they are otherwise authorized to issue a licence, issue to the applicant a licence in such form as may be appropriate to the type or class of vehicle in respect of which the application is made ;
- (ii) enter upon such licence before issue thereof—
 - (a) the index mark and registration number of the vehicle ;
 - (b) the horse-power, maximum seating capacity, or weight unladen (as the case may require) in respect of which duty has been paid, provided that where duty has been paid with reference to seating capacity or weight unladen at the maximum rate the letters M A X shall be inserted ;
 - (d) the amount of duty paid ; and
 - (e) a stamp or other sufficient mark indicating the name of the authority by whom the licence is issued, and the date when the duty was paid ;

- (iii) prepare and issue to such applicant the Registration Book with the appropriate particulars entered thereon ;

and shall retain the declaration made by the owner of the vehicle.

14.—(1) The index mark and registration number which is declared to have been the index mark and registration number of any vehicle at the 31st day of December, 1920, shall be entered in the Register and on the licence, and shall thereafter attach to that vehicle until the same is broken up, destroyed, or sent permanently out of the United Kingdom.

Index
marks.

Provided that if a Council is not satisfied that such index mark and registration number were at the 31st day of December, 1920, registered in respect of that vehicle under Article III or Article IV of the Motor Car (Registration and Licensing) Order, 1903, or under Article III or Article IV of the Motor Car (Registration and Licensing) (Scotland) Order, 1903, or under Article III or Article IV of the Motor Car (Registration and Licensing) (Ireland) Order, 1903, as the case may be, they shall assign a new number and the licence and Registration Book, if any, already issued in respect of the vehicle shall become void.

(2) In the case of any other vehicle the Council shall assign to the vehicle an index mark and a registration number according to the index mark allotted under these Regulations to the Council, and shall enter such mark and number in the Register and upon the Licence.

15. The Council may before they issue the Registration Book to the owner of a vehicle licensed by them require to be satisfied by the inspection of the vehicle or the production of other sufficient evidence that the vehicle in respect of which such book is to be issued in fact accords with the declaration.

16. The Council may at any time, either before or after the issue of a licence, require the owner of a vehicle licensed in reference to weight unladen to furnish a certificate of weight in the prescribed form, and may if they think fit, by not less than seven days' notice in writing, require the owner to produce the vehicle at a specified time at a specified weighbridge, and the owner shall cause the vehicle to be weighed at that time and place in the presence of an officer of the Council.

17. Upon or not more than fourteen days before the expiry of a licence application for renewal may be made in the prescribed form in the case of any vehicle the ownership of which has not changed during the currency of the licence and in which no alterations have been made other than such as may have been notified to the Council in conformity with the requirements of these Regulations, either to the Council with whom such vehicle is registered or at any Post Office authorized for that purpose by the Postmaster-General, but renewal of the licence under this Regulation shall not be made at the Post Office after the expiration of fourteen days from the date on which the licence expired.

Renewal of
licence.

18. Where from any cause a licence becomes void it shall forthwith be surrendered to the Council with whom the vehicle was last registered, unless the licence is renewed at a Post Office, in which case the expired licence shall be surrendered to the Post Office at the time of renewal.

Surrender of
licence.

19. Every Council shall establish and keep in such form as the Minister of Transport may direct a Register (in these Regulations referred to as "the Register") for the registration of mechanically propelled vehicles.

20. The index mark allotted to each Council shall be the letter or letters shown opposite to the name of that Council in the Third Schedule hereto.

Identifica-
tion mark.

* **21.** The identification mark to be carried by a vehicle shall consist of the index mark and registration number assigned to that vehicle, and shall be exhibited on two plates which shall conform as to lettering, numbering, and otherwise, with the provisions set out in the Fourth Schedule hereto.

22.—(1) The plates exhibiting the identification mark shall be fixed, one on the front of, and the other on the back of, the vehicle, in an upright position, so that every letter or figure on the plate is upright and easily distinguishable, in the case of the plate placed on the front of the vehicle, from in front of the vehicle, and, in the case of the plate placed on the back of the vehicle, from behind the vehicle.

(2) In the case of a motor tricycle or motor bicycle, the plate fixed on the front of the cycle may, if it is a plate having duplicate faces conforming with the Fourth Schedule hereto, be fixed so that from whichever side the cycle is viewed the letters or figures on one or other face of the plate are easily distinguishable, though they may not be distinguishable from the front of the cycle.

23. When a vehicle of any kind is attached to a mechanically propelled vehicle either in front or behind, the plate required to be fixed on the front or on the back of the mechanically propelled vehicle, or a duplicate of such plate, shall be fixed on the front or on the back of the vehicle attached, as the case requires, in the same manner as the plate is required to be fixed upon the vehicle drawing or propelling the same.

24. A Council with whom a vehicle is registered may, if they think fit, supply to the owner of the vehicle, if he so desires, the plates forming the identification mark on the vehicle, and may make a charge for them.

Lamp.

25.—(1) Whenever during the period between half an hour after sunset and half an hour before sunrise a vehicle is used on a public highway, a lamp shall be kept burning on the vehicle, so contrived as to illuminate by means of reflection, transparency, or otherwise, and render easily distinguishable every letter or figure on the identification plate fixed on the back of the vehicle or of any vehicle attached to the back of the vehicle, as the case may be.

(2) In the application of this Regulation to a motor tricycle or a motor bicycle of a weight unladen not exceeding 3 hundredweights, the plate fixed on the front of the vehicle may, if desired, be substituted for the plate fixed on the back of the vehicle.

Copies of
particulars

26. A Council shall supply free of charge to any other Council or any superior officer of police or constable authorized by such an officer, upon application made, the registered name and address of the owner of any vehicle registered by them together with a copy of the particulars registered as those which are shown upon the last licence issued in respect of that vehicle, and the council shall also upon payment of a charge of one shilling supply the like information to any person who may show that he has a reasonable cause for requiring the same to be supplied to him.

* See Art. 10 of the Road Vehicles (International Circulation Permit) Regulations, p. 197, modifying the application of this and the four following Regulations to the case of foreign cars.

PART II.

General Licences for Manufacturers of or Dealers in Mechanically Propelled Vehicles and General Identification Marks.

27. A person being a manufacturer of or dealer in mechanically propelled vehicles who desires pursuant to the Roads Act, 1920, to obtain a general licence in respect of—

Manufacturers, &c.

(a) all vehicles used by him, or

(b) all vehicles used by him of the classes liable to duty under paras. 1 and 2 of the Second Schedule of the Finance Act, 1920,

shall apply to the Council in whose area his business premises are situate by means of a declaration in the prescribed form.

28.—(1) The Council shall issue to the person to whom a general licence is granted a licence card containing the following particulars:—

Licence cards.

1. Name and address of person or firm to whom the licence is issued.

2. Number of identification plate allotted.

3. Date of expiry of licence.

4. Amount of duty paid.

5. Date stamp of office of issue.

6. Serial number of licence.

(2) The Council shall also supply free of charge with each general licence one plate (with a holder for the licence card) for fixing in front and one plate for fixing at the back of the vehicle. Provided that where application is made and duty paid in respect of a licence for all vehicles, the applicant shall be entitled also without further payment to licence plates appropriate for the classes of vehicles liable to duty under paras. 1 and 2 of the Second Schedule to the Finance Act, 1920.

(3) The plates to be supplied by the Council shall conform to such specification as the Minister of Transport may direct, and shall remain the property of the Council and be returned forthwith to the Council whenever the licence in respect of which they were issued is not renewed.

(4) The plates shall be fixed in front and at the back of the vehicle in the manner prescribed by these Regulations with respect to the index mark and registration number assigned to vehicles under these Regulations, and shall be carried with the licence card attached to the front plate at all times when the vehicle is in use on a road for the purposes hereinafter mentioned.

29. The holder of a general licence shall not use any vehicle on a road under that licence for any purpose other than—

General licences.

(1) On test or trial during the course of construction or repairs or after completion in either such case ;

(2) For the purpose of proceeding to or from a public weighbridge for ascertaining unladen weight, or to or from any place for registration by a council ;

(3) On trial for the benefit of a prospective purchaser, and for proceeding to or returning from the place where the prospective purchaser intends to keep such vehicle. For such purpose the vehicle may be driven by the prospective purchaser if he holds a driver's licence in any case in which such a licence is requisite ;

- (4) For delivery to or from the premises of a manufacturer or trader, and from such premises to the premises of a purchaser or of another manufacturer or trader ;
- (5) For proceeding to or returning from a workshop with the object of fitting a body to the vehicle or of painting or repairs ;
- (6) For proceeding from the premises of a manufacturer or trader to a Railway Station or Wharf for entraining or shipment, or from a train or ship to the premises of the manufacturer or trader ;
- (7) For proceeding to an exhibition of motor vehicles with the object of exhibiting the vehicle or for returning from such exhibition to the premises of a manufacturer or trader ;
- (8) On trials organized by such Automobile Clubs, Societies, or Associations as shall be approved for the purpose ;
- (9) For proceeding to or returning from any place at which the vehicle is to be or has been offered for sale.

30. Every person to whom a general licence shall be issued under this part of these Regulations shall keep in the book to be issued to him by the Council with such licence an accurate and sufficient record of each occasion upon which a vehicle is used on a road in pursuance of the general licence, and before any vehicle is so used he shall cause the appropriate entries to be made in such book.

31. The book shall be produced at all reasonable times for inspection by any Police or Local Taxation Officer, and shall be kept available for inspection at the place specified in the declaration made on application for the general licence as the place at which the book will be kept.

32. It shall not be necessary for a vehicle when carrying general identification plates and a licence card in manner hereinbefore prescribed to carry any other identification marks or licence.

PART III.

Mechanically propelled Hackney Vehicles.

Hackney
carriages.

33. Any vehicle licensed under the provisions of para. 3 of the Second Schedule of the Finance Act, 1920, shall display in addition to the index mark and registration number of the vehicle a plate of the dimensions and form set out in the Fifth Schedule hereto and carried in the position prescribed in that Schedule, unless such vehicle is licensed to ply for hire and carries in a conspicuous position on the outside of the vehicle a metal plate in the form prescribed by the authority by whom it is licensed to ply for hire, indicating clearly that the vehicle is a hackney vehicle so licensed.

Provided that where such a vehicle is temporarily adapted for and used solely for the conveyance of goods in the course of trade it shall not be necessary for the plate prescribed by this Regulation to be so displayed and carried at any time when such vehicle is so adapted and being so used.

PART IV.

Mechanically propelled Vehicles exempt from Licence Duty.

Exempt.
vehicles.

34. The provisions of these Regulations shall extend to mechanically propelled vehicles exempt from duty on licence with the following modifications :—

(i) *Vehicles the Property of the Crown.*

A declaration in the prescribed form shall be made in respect of each such vehicle by a duly authorized officer of the department in whose possession or use such vehicle may be and shall be accompanied by a Certificate in the approved form signed by that officer.

Upon receipt by a Council of such declaration and Certificate, the Council shall enter the registration particulars of such vehicle in a separate part of the Register and issue to the officer by whom the Certificate is signed a licence card with the word *NIL* marked in the space provided for indicating the amount of duty payable, but otherwise completed in accordance with these Regulations.

For the purposes of these Regulations the officer authorized as aforesaid shall be deemed to be the owner of the vehicles in the possession or use of the Government Department.

Upon the expiry of the period for which such licence card is issued it shall be the duty of the Council to forward to each Government Department, any of whose vehicles are registered with them, a list of the vehicles so registered, and, upon receipt of a Certificate as aforesaid, the Council shall renew the licence for each of the vehicles specified in the Certificate.

(ii) *Other exempt Vehicles.*

The owner of any motor ambulance or motor fire engine or other fire appliance or of a vehicle which is kept for use exclusively for purposes in connection with the extinction of fire, or of any road roller, shall apply to the Council for a licence for and registration of that vehicle, and upon receipt of such application the Council shall issue a form of licence for such vehicle with the word *NIL* marked in the space provided for indicating the amount of duty paid, but otherwise completed in accordance with these Regulations.

The application under this Regulation shall in the case of a local authority be made in the prescribed form by the clerk to that authority, and in the case of an Institution by the Secretary or Chief Administrative Officer of that Institution.

PART V.

Licensing of Carriages.

35. A declaration in the prescribed form shall be made in respect of every carriage not entitled to exemption from licence duty. Upon receipt of such declaration the Council to whom such application is made shall issue to the applicant a licence in the approved form. Provided that at the option of the owner the application for a licence under this part of these Regulations may be made to any Money Order Post Office either personally or by post addressed in accordance with the conditions specified upon the prescribed form.

PART VI.

Locomotives.

36.—(1) In this part of these Regulations—

“Locomotive” has the same meaning as in the Highways and Locomotives (Amendment) Act, 1878.

(2)—(i) Except as hereinafter provided the weight of a locomotive exclusive of the weight of water, fuel, or accumulators (other than

boilers) used for the purpose of propulsion shall not exceed 15 tons 10 cwt. Provided that the said weight of 15 tons 10 cwt. may be exceeded in the cases and to the extent following, that is to say:—

- (a) In the case of locomotives carrying as a permanent fitting a jib crane, dynamo, or extra winding drum, or any one or more of such fittings by not more than 1 ton 10 cwt.
- (b) In the case of locomotives fitted on all wheels with tires which are pneumatic or which are made of a soft or elastic material by not more than 2 tons.
- (c) In the case of locomotives fitted with Boulton wheels or other wheels from time to time approved by the Minister of Transport, the tires of which are sprung or mechanically cushioned by not more than 3 tons.
- (ii) In the case of cable ploughing engines the winding or windlass gear shall not be included in computing the weight.
- (iii) The weight of water, fuel, and accumulators (other than boilers) of any locomotive shall not exceed 3 tons.
- (iv) Not more than three-fourths of the weight of any locomotive, including the weight of water, fuel, and accumulators, shall be borne by the rear axle.

PART VII.

Miscellaneous.

37. In the Heavy Motor Car Order, 1904, the Heavy Motor Car (Scotland) Order, 1905, and the Heavy Motor Car (Ireland) Order, 1905, as amended in each case by subsequent Orders, the expression "registering authority" shall be deemed to mean the County Council by whom the heavy motor car has been or can be registered in pursuance of the Roads Act, 1920, and these Regulations and the expression "registered axle-weight" shall be deemed to mean the axle-weight as registered by a County Council in pursuance of these Regulations.

38. The several Statutory Rules and Orders set out in the Sixth Schedule hereto are hereby revoked or varied to the extent stated in that Schedule.

39.—(1) For the purposes of the Finance Act, 1920, the horse-power of any mechanically propelled vehicle deriving its motive-power wholly from an internal combustion engine worked by a cylinder or cylinders shall be taken to be:—

- (a) In the case of a single-cylinder engine, the horse-power attributable to the cylinder of the engine;
- (b) In the case of an engine having two or more cylinders; the sum of the horse-powers attributable to the separate cylinders.

(2) The horse-power attributable to any cylinder of an internal combustion engine shall be deemed to be equal to the square of the internal diameter of such cylinder measured in inches divided by a numeral—

- (a) In the case of a cylinder having a single piston, the numeral used as divisor shall be 2·5;
- (b) In the case of a cylinder having two pistons, the numeral used as divisor shall be 1·6.

(3) The horse-power of any mechanically propelled vehicle deriving its power wholly from a steam engine shall be taken to be proportional to the effective heating surface of the boiler supplying steam to such

engine, at the rate of 1 horse-power for every 3 square feet in such effective heating surface, and the effective heating surface shall be taken to be—

(a) In the case of a boiler having horizontal or approximately horizontal tubes, the whole of that surface of the tubes which is exposed to the flame or hot gases ;

(b) In the case of a boiler having vertical or approximately vertical tubes, half of that surface of the tubes which is exposed to the flame or hot gases.

(4) Any mechanically propelled vehicle deriving its motive-power from an electric motor or motors shall be deemed to be of 6 horse-power.

(5) In measuring cylinders and boilers, and in calculating horse-power, fractions of inches and feet and fractions of a unit of horse-power are to be taken into account. Provided that in the final calculation of horse-power a resultant fraction of less than $\cdot 1$ of a unit of horse-power shall be omitted.

(6) Where it appears that, in consequence of the exceptional design or construction of the engine of any mechanically propelled vehicle, the horse-power as calculated under this Regulation is substantially less than the average power which the engine would develop in continuous use on the road if there were no restrictions on speed other than those imposed by the vehicle itself, then such average power shall be taken as the power of the vehicle.

40.—(1) Applications by a County Council under section 7 (4) of the Roads Act, 1920, that the driving of vehicles on any highway may be prohibited or restricted shall be in the approved form and shall be signed by the Clerk to the Council, and shall show that the application is made in pursuance of a resolution passed by the Council or by a Committee of the Council charged with the supervision and control of highways and the traffic thereon.

(2) The notice to be given under section 7 (4) of the Roads Act, 1920, that an order has been made under that section, shall be given by the authority concerned, by a notice in the approved form published in the *London, Edinburgh, or Dublin Gazette* as the case requires, and once at least in each of two consecutive weeks in some local newspaper circulating in the district in which the highway to which the Order relates is situate, and by such notice or warning boards or signs erected in such positions on or near the said highway and in such other manner as may be directed by the Order.

(3) No person shall drive or cause to be driven any mechanically propelled vehicle upon any highway with respect to which an order has been made under section 7 (4) of the Roads Act, 1920, in contravention of such order.

41. The Clerk of the Council and any other officer authorized by the council are respectively empowered to perform any duty or exercise any power of the Council for the purpose of carrying these Regulations into effect.

First Schedule.

FORMS PRESCRIBED FOR PURPOSES OF THESE REGULATIONS AND OBTAINABLE AT POST OFFICES OR AT THE OFFICE OF THE COUNCIL.

Form R.F. (1).—Declaration for and particulars of motor cars, cycles and conveyances for invalids.

Form R.F. (3).—Declaration for and particulars of mechanically propelled vehicles exempt from licence duty.

Form R.F. (3/1).—Declaration for and particulars of mechanically propelled vehicles the property of the Crown.

Form R.F. (4).—Declaration for and particulars of mechanically propelled commercial goods vehicles.

Form R.F. (4A).—Declaration for and particulars of mechanically propelled commercial goods vehicles (over six vehicles of uniform type).

Form R.F. (5).—Declaration for and particulars of road locomotives, tractors, and agricultural engines.

Form R.F. (8).—Declaration for and particulars of mechanically propelled hackney vehicles.

Form R.F. (8A).—Declaration for and particulars of mechanically propelled hackney vehicles (over six vehicles of uniform type).

Form R.F. (9).—Declaration for tramcars.

Form R.F. (12/9).—Certificate of weight.

Form R.F. (1A).—Renewal declaration for road vehicles.

Form R.F. (13/8).—Application for refund of part duty, 1913 engines.

Form R.F. (10/1).—Declaration for (horse-drawn) carriage licences (including hackney carriage licences).

Second Schedule.

PART I.

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LICENCE FOR A MECHANICALLY PROPELLED VEHICLE

3 27/32"

LICENCE CARD.

PART II.

FORM OF HOLDER FOR LICENCE CARDS.

The holder must be of metal, and of weatherproof construction. It must be either circular, or rectangular with cross bars, and conform to the following dimensions :—

Type A.—Circular Pattern, without Cross Bars.

Card Tray.—The licence card of standard pattern, when cut along the outline of the outer of the two circles, should fit neatly into a sheet-metal tray of suitable thickness, having a turned-up edge of sufficient depth to hold the card and a stout cover glass.

Ring Cover.—A circular ring of sheet metal shaped to fit down closely on to the tray, and adapted for fixing by screws, bolts, or otherwise, to the vehicle in the prescribed position. A rubber packing ring should be arranged to fit between the ring cover and the cover glass and tray so as to render the whole carrier weatherproof.

Dimensions.—The aperture within the ring cover should clearly exhibit the whole of the licence card lying within the inner circle of the licence card, and should have a diameter of $2\frac{1}{8}$ inches.

Type B.—Rectangular Pattern, with Cross Bars.

Card Tray.—A sheet-metal tray of suitable thickness, having a turned-up edge all round, of a depth sufficient to hold the full-size standard licence card ($3\frac{2}{3}$ inches long and $3\frac{9}{32}$ inches wide) and a stout cover glass.

Cover Frame.—A cover frame, formed out of sheet metal, should be shaped to fit down closely on to the card tray, and adapted for fixing by screws, bolts, or otherwise, to the motor vehicle in the position previously described.

A rubber packing ring should be arranged to fit between the cover frame and the cover glass and tray, so as to render the whole carrier weatherproof.

Dimensions.—The main aperture within the cover frame should be $3\frac{1}{8}$ inches long and $3\frac{1}{8}$ inches wide, and be bisected axially by two bars intersecting at right angles, so as to leave four rectangular openings, each $1\frac{3}{4}$ inches long and $1\frac{3}{8}$ inches wide, clearly exhibiting the motor licence card.

Third Schedule.

(As amended by Order of 2nd June, 1921, and 28th April, 1921, and No. 1748 of 1921.)

PART I.—ENGLAND AND WALES.

A. County Councils.

Council.	Index Mark.	Council.	Index Mark.
County Council of—		County Council of—	
Anglesey	EY	London	LY
Bedford	BM & NM		QQ
Berks	BL & MO		XA
Brecknock	EU		XB
Bucks	BH		XC
Cambridge	CE & ER		XD
Cardigan	EJ		XE
Cardmarthen	BX		XF
Carnarvon	CC		XH
Chester	M MA &		XK
	MB		XL
Cornwall	AF		XM
Cumberland	AO		XN
Denbigh	CA		XO & XP
Derby	R & NU	Merioneth	FF
Devon	T & TA	Middlesex	H
Dorset	FX		MC
Durham	J		MD
Ely, Isle of	EB		MX & ME
Essex	F HK &	Monmouth	AX
	NO	Montgomery	EP
Flint	DM	Norfolk	AH
Glamorgan	L & NY	Northampton	BD
Gloucester	AD & DD	Northumberland	X & NL
Hereford	CJ	Nottingham	AL &
Hertford	AR & NK		NN
Huntingdon	EW	Oxford	BW
Kent	D KN	Pembroke	DE
	KT KE &	Peterborough, Soke of	FL
	KK	Radnor	FO
Lancaster	B TB &	Rutland	FP
	TC	Salop	AW &
Leicester	AY & NR		NT
Lincolnshire—		Somerset	Y & YA
Parts of Holland ..	DO	Southampton	AA HO &
Parts of Kesteven ..	CT		OR
Parts of Lindsey ..	BE & FU	Stafford	E & RE
	A	Suffolk, East	BJ
	LA	Suffolk, West	CF
	LB	Surrey	P
	LC		PA
	LD		PB & PC
	LE	Sussex, East	AP & PM
	LF	Sussex, West	BP
	LH	Warwick	AC & NX
	LK	Westmorland	EC
London	LL	Wight, Isle of	DL
	LM	Wilts	AM HR &
	LN		MR
	LO	Worcester	AB & NP
	LP	Yorkshire, East	BT
	LR	Riding of	
	LT	Yorkshire, North	AJ
	LU	Riding of	
	LW	Yorkshire, West	C & WR
	LX	Riding of	

B. Councils of County Boroughs.

Council.	Index Mark.	Council.	Index Mark.
County Borough of—		County Borough of—	
Barnsley	HE	Liverpool	K
Barrow-in-Furness ..	EO		KB & KC
Bath	FB	Manchester	N /
Birkenhead	CM		NA
Birmingham	O		NB
	OA		NC & ND
	OB	Merthyr Tydfil ..	HB
	OE & OH	Middlesbrough ..	DC
Blackburn	CB	Newcastle-upon-Tyne	BB
Blackpool	FR	Newport (Mon.) ..	DW
Bolton	BN	Northampton ..	NH
Bootle	EM	Norwich	CL
Bournemouth	EL	Nottingham	AU
Bradford (Yorkshire) ..	AK & KU	Oldham	BU
Brighton	CD	Oxford	FC
Bristol	AE HT &	Plymouth	CO & DR
	HU	Portsmouth	BK
Burnley	CW	Preston	CK
Burton-upon-Trent ..	FA	Reading	DP
Bury	EN	Rochdale	DK
Canterbury	FN	Rotherham	ET
Cardiff	BO	St. Helens	DJ
Carlisle	HH	Salford	BA
Chester	FM	Sheffield	W WA &
Coventry	DU &		WB
	HP	Smethwick	HA
Croydon	BY	Southampton ..	CR
Darlington	HN	Southend-on-Sea ..	HJ
Derby	CH	Southport	FY
Dewsbury	HD	South Shields ..	CU
Dudley	FD	Stockport	DB
Eastbourne	HC	Stoke-on-Trent ..	EH
East Ham	HM	Sunderland	BR
Exeter	FJ	Swansea	CY
Gateshead	CN	Tynemouth	FT
Gloucester	FH	Wakefield	HL
Great Yarmouth	EX	Wallasey	HF
Grimsby	EE	Walsall	DH
Halifax	CP	Warrington	ED
Hastings	DY	West Bromwich ..	EA
Huddersfield	CX	West Ham	AN
Ipswich	DX	West Hartlepool ..	EF
Kingston-upon-Hull ..	AT	Wigan	EK
Leeds	U & NW	Wolverhampton ..	DA
Leicester	BC	Worcester	FK
Lincoln	FE	York	DN

PART II.—SCOTLAND.

A. County Councils.

Council.	Index Mark.	Council.	Index Mark.
County Council of—		County Council of—	
Aberdeen	SA	Lanark	V & VA
Argyll	SB	Linlithgow	SX
Ayr	SD	Midlothian	SY
Banff	SE	Moray	SO
Berwick	SH	Nairn	AS
Bute	SJ	Orkney	BS
Caithness	SK	Peebles	DS
Clackmannan	SL	Perth	ES
Dumfries	SM	Renfrew	HS
Dumbarton	SN	Ross and Cromarty	JS
Fife	SP	Roxburgh	KS
Forfar	SR	Selkirk	LS
Haddington	SS	Stirling	MS
Inverness	ST	Sutherland	NS
Kincardine	SU	Wigtown	OS
Kinross	SV	Zetland	PS
Kirkcudbright	SW		

B. Burgh Councils.

Burgh Council of—		Burgh Council of—	
Aberdeen	RS	Govan*	US
Dundee	TS	Greenock	VS
Edinburgh	S &	Leith	WS
	SG	Paisley	XS
Glasgow	G GA &	Partick*	YS
	GB	Motherwell & Wishaw	GM

* These Burghs are now included in the City of Glasgow.

PART III.—IRELAND.

A. County Councils.

County Council of—		County Council of—	
Antrim	IA	Londonderry	IW
Armagh	IB	Longford	IX
Carlow	IC	Louth	IY
Cavan	ID	Mayo	IZ
Clare	IE	Meath	AI
Cork	IF	Monaghan	BI
Donegal	IH	Queen's County	CI
Down	IJ	Roscommon	DI
Dublin	IK	Sligo	EI
Fermanagh	IL	Tipperary, N. Riding	FI
Galway	IM	Tipperary, S. Riding	HI
Kerry	IN	Tyrone	JI
Kildare	IO	Waterford	KI
Kilkenny	IP	Westmeath	LI
King's County	IR	Wexford	MI
Leitrim	IT	Wicklow	NI
Limerick	IU		

B. Councils of County Boroughs.

Council of the County Borough of—		Council of the County Borough of—	
Belfast	OI & XI	Limerick	T
Cork	PI	Londonderry	U
Dublin	RI & YI	Waterford	W

Fourth Schedule.

Alternative Diagram No. 1.



Alternative Diagram No. 2.



The alternative diagrams above are specimen plates drawn approximately to a scale of one-third. The actual size of the plates will, however, differ according to the number of letters and figures required.

Provisions to be complied with.

(1) Each plate must be rectangular and bear upon it the index mark and registration number entered in the Register in respect of the vehicle, the mark and number being arranged in conformity with the arrangement of letters and figures shown on one or other of the alternative diagrams.

(2) The two plates may, at the option of the owner, be of either of the shapes shown in the alternative diagrams, or one of one shape and one of the other.

(3) The ground of the plate must be black, the letters and figures must be indelibly inscribed thereon white.

(4) All letters and figures must be $3\frac{1}{2}$ inches high ; every part of every letter and figure must be $\frac{5}{8}$ of an inch broad ; and the total width of the space taken by every letter or figure, except in the case of the figure 1, must be $2\frac{1}{2}$ inches.

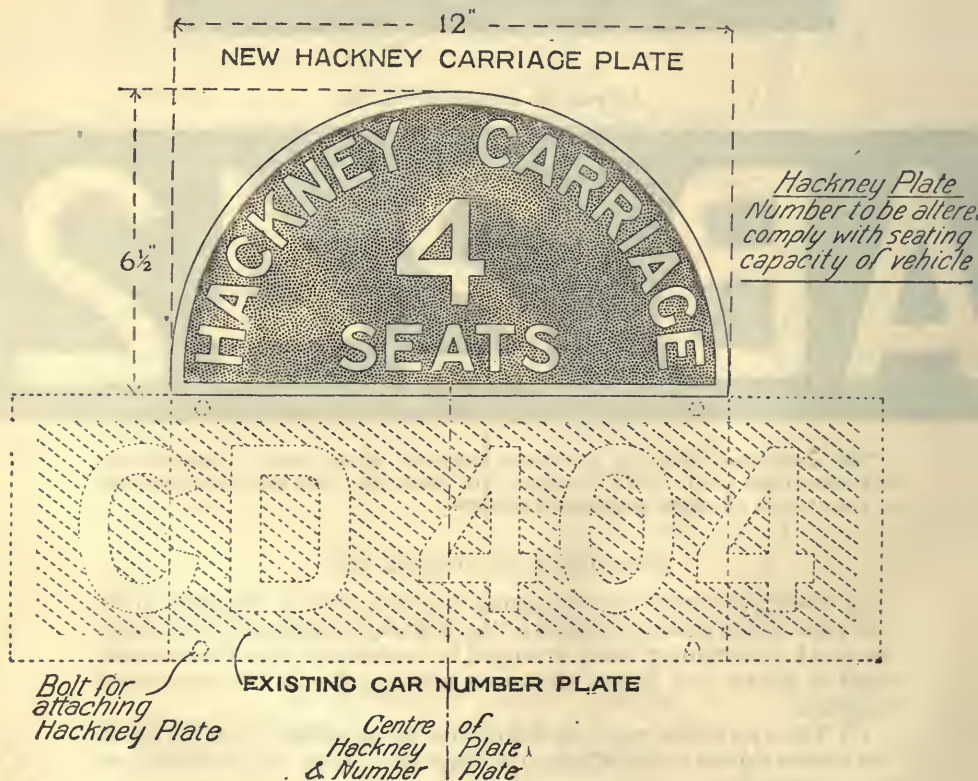
(5) The space between adjoining letters and between adjoining figures must be $\frac{1}{2}$ inch, and there must be a margin between the nearest part of any letter or figure and the top and bottom of the plate of at least $\frac{1}{2}$ inch, and between the nearest part of any letter or figure and the sides of the plate of at least 1 inch.

(6) In the alternative diagram No. 1, the space between the upper and lower line must be $\frac{3}{4}$ inch. In the alternative diagram No. 2, the space between the letters and the figures must be $1\frac{1}{2}$ inches.

(7) In the case of the plates for a motor tricycle or motor bicycle of a weight unladen not exceeding 3 cwt., each of the dimensions mentioned above may be halved, and the shape of the plate need not be rectangular so long as the minimum margin between any letter or figure and the top, bottom, and sides of the plate and the relative positions of letters and figures in accordance with clause (1) of these provisions are preserved.

Fifth Schedule.

Diagram of Plate for Hackney Vehicles.



The diagram above is a specimen plate drawn approximately to the scale of one-fourth.

Provisions to be complied with.

(1) The hackney carriage plate is to be constructed of approximately semi-circular shape and to the size shown upon the foregoing diagram, and is to be securely attached to and carried upon the upper edge of the rear number plate of the motor car and centrally disposed thereon.

(2) The plate may be of sheet iron with an enamelled face having white border letters and number upon a black ground, or, alternatively, may be constructed of cast aluminium having raised border, letters, and number in polished metal upon a black ground.

(3) The width of the surrounding border must be $\frac{1}{4}$ inch, the depth of all letters 1 inch, and the width of face of letters $\frac{3}{16}$ inch; the numerals must be $2\frac{1}{4}$ inches in height, of proportional width, and $\frac{3}{8}$ inch width of face.

(4) The hackney carriage plate is to be securely and substantially fixed, by bolts or otherwise, to the rear number plate, and a method of attachment is indicated in the foregoing diagram.

(5) The hackney carriage plate is to be so fixed upon the vehicle as to be substantially in the same vertical plane as the car number plate, and be at all times clearly visible and unobstructed by car equipment or otherwise.

(6) A number indicating the seating capacity of the vehicle is to be disposed in the central position occupied by the figure "4" in the diagram.

Sixth Schedule.

The Motor Car (Registration and Licensing) Order, 1903.
(S.R. & O., 1903, No. 998.)

The Motor Car (Registration and Licensing) (Scotland) Order, 1903.
(S.R. & O., 1903, No. 1001.)

The Motor Car (Registration and Licensing) (Ireland) Order, 1903.
(S.R. & O., 1903, No. 1002.)

The Heavy Motor Car Order, 1904,
as amended by subsequent Orders.
(S.R. & O., 1904, No. 1809.)

The Heavy Motor Car (Scotland) Order, 1905, as amended by subsequent Orders.

1
(S.R. & O., 1905, No.
S.1.)

Part I and the First, Second, Third and Fourth Schedules thereof shall cease to have effect.

Part I and the First, Second, Third and Fourth Schedules thereof shall cease to have effect.

Part I and the First, Second, Third and Fourth Schedules thereof shall cease to have effect.

Article IV except subsection (4) thereof shall cease to have effect and the said subsection (4) shall have effect as though the words "Upon receiving from the registering authority a copy of the entries made in the register relating to a heavy motor car" were omitted. Article XV and the Schedule to the said Order shall cease to have effect.

Article IV except subsection (4) thereof shall cease to have effect and the said subsection (4) shall have effect as though the words "Upon receiving from the registering authority a copy of the entries made in the register relating to a heavy motor car" were omitted. Article XV and the Schedule to the said Order shall cease to have effect.

The Heavy Motor Car (Ireland)
Order, 1905, as amended by sub-
sequent Orders.
(S.R. & O., 1905, No. 71.)

Article IV, except subsection (4)
thereof shall cease to have effect
and the said subsection (4) shall
have effect as though the words
"Upon receiving from the regis-
tering authority a copy of the
entries made in the register
relating to a heavy motor car"
were omitted. Article XV and the
Schedule to the said Order shall
cease to have effect.

The Motor Car (Hackney Carriage
Plate) Order, 1916.
(S.R. & O., 1916, No. 720.)

The whole Order shall cease to have
effect.

The Motor Car (Hackney Carriage
Plate) (Scotland) Order, 1916.

The whole Order shall cease to have
effect.

765

(S.R. & O., 1916, No. _____
S.53.)

The Motor Car (Hackney Carriage
Plate) (Ireland) Order, 1916.
(S.R. & O., 1916, No. 780.)

The whole Order shall cease to have
effect.

*See Addenda for Road Vehicles (Part Year Licensing) Order, 1921,
which deals with short term licences.*

CHAPTER VII.

STAGE AND HACKNEY CARRIAGES.

A.—STAGE CARRIAGES IN LONDON AND ELSEWHERE.

THE STAGE CARRIAGE ACT, 1832, 2 & 3 Will. 4, c. 120.

*THE LONDON HACKNEY CARRIAGES ACT, 1833, 3 & 4 Will. 4, c. 48.

THE RAILWAY PASSENGER DUTY ACT, 1842, 5 & 6 Vict. c. 79.

B.—STAGE AND HACKNEY CARRIAGES IN LONDON.

THE LONDON HACKNEY CARRIAGE ACT, 1831, 1 & 2 Will. 4, c. 22.

THE LONDON HACKNEY CARRIAGES ACT, 1843, 6 & 7 Vict. c. 86.

THE LONDON HACKNEY CARRIAGE ACT, 1850, 13 & 14 Vict. c. 7.

THE LONDON HACKNEY CARRIAGE ACT, 1853, 16 & 17 Vict. c. 33.

THE LONDON HACKNEY CARRIAGE (No. 2) ACT, 1853, 16 & 17 Vict. c. 127.

THE METROPOLITAN PUBLIC CARRIAGE ACT, 1869, 32 & 33 Vict. c. 115.

THE LONDON CAB ACT, 1896, 59 & 60 Vict. c. 27.

THE LONDON CAB & STAGE CARRIAGE ACT, 1907, 7 Edw. 7, c. 55.

(The Order dated 1st May, 1917, of the Secretary of State under 32 & 33 Vict. c. 115, see Appendix, p. 38.)

C.—STAGE AND HACKNEY CARRIAGES OUTSIDE THE METROPOLIS.

TOWN POLICE CLAUSES ACT, 1847, 10 & 11 Vict. c. 89. } See Chapter III,
TOWN POLICE CLAUSES ACT, 1889, 52 & 53 Vict. c. 14 } p. 57.

This Chapter contains the statutes, together with the notes of decided cases, which relate to hackney and stage carriages.

Section 8 of 6 & 7 Vict. c. 86 provides that an abstract of laws shall be given to each licensed driver and conductor of a public carriage. This abstract is printed as an Appendix to this book, and in it will be found the Order of the Secretary of State relating to public carriages in the Metropolitan Police District, and other information which supplements and explains the following chapter.

Difficulty is caused by the fact that in the Acts peculiar to London there are two definitions of hackney carriage, that given by section 4 of 1 & 2 Will. 4, c. 22, and that given by 32 & 33 Vict. c. 115, s. 4, and these sections and the notes thereto should be studied. These two definitions are also distinct from the definitions in section 38 of the Town Police Clauses Act and section 4 of the Customs and Inland Revenue Act, 1888.

In the following chapter the statutes are grouped into two divisions :

- (1) Acts in force in London and elsewhere,
- (2) Acts in force in the Metropolitan Police District and the City of London and its liberties (referred to herein as *London*).

The Town Police Clauses Acts (see p. 57) operate to control public carriages outside the Metropolis and have no force at all within the Metropolis. Hence in areas outside the Metropolis, but within the Metropolitan Police District, two codes apply, but in case of conflict the local code prevails against the Town Police Clauses Acts. This is

* The title of this Act is now misleading, the only portion which referred specially to London being now repealed.

according to the well-known rule of construction that a particular rule prevails against a general rule, though the two rules are to be construed so far as possible so that they conform and do not conflict.

Certain Acts not contained in this chapter concern public carriages in London, notably :—

The Metropolitan Police Act, 1839, ss. 51 & 52, and the Metropolitan Streets Act, 1867, s. 11 (see pp. 20 and 33), contain powers to regulate the route. For route regulation see the note on p. 41.

The Metropolitan Streets Act, 1867, ss. 8 and 14 (p. 29), controls stage carriages as regards stopping and taking up and setting down passengers.

The Public Health (London) Act, 1891, s. 38, provides against the carriage of infected persons (outside the Metropolis, see similar provisions of the Public Health Act, 1875, and the Infectious Disease (Prevention) Act, 1890, p. 75).

The Finance Act, 1920 (p. 204), and the Roads Act, 1920, and Regulations made thereunder, and Article XI of the Heavy Motor Car Order, pp. 185, 208, 217, also contain special provisions affecting public carriages.

STAGE CARRIAGES IN THE METROPOLIS (COUNTY OF LONDON) AND ELSEWHERE.

THE STAGE CARRIAGE ACT, 1832.

(2 & 3 Will. 4, c. 120.)

Particulars
painted on
stage
carriages.

6. It shall not be lawful for any person to keep, use, or employ any stage carriage . . . unless the several particulars by this Act directed to be painted on every such carriage shall be painted thereon ; anything in any other Act contained to the contrary thereof notwithstanding.

Carriages
with plates
or
particulars
painted
thereon to be
deemed stage
carriages.

7. In any action, information, or other proceeding for the recovery of any duty or penalty incurred under this Act in respect of or with relation to any stage carriage, if evidence shall be given that the carriage, in respect of which or in any manner relating to which any such action, information, or proceeding shall be commenced or prosecuted, was seen travelling or going upon any highway or other road . . . having painted upon such carriage any of the particulars required by this Act to be painted upon stage carriages, such carriage shall be deemed and taken to be a stage carriage ; and such evidence as aforesaid shall be received as sufficient proof that such carriage was kept, used, and employed for the purpose of conveying passengers for hire as a stage carriage within the meaning of this Act, unless the contrary be proved ; and in all such actions, informations, and proceedings as aforesaid . . . the person whose name (if any) shall be painted on any such carriage shall for the purposes of this Act (unless the contrary be proved) be deemed the person to whom such carriage doth belong.

Particulars
to be
painted on
stage
carriages.

36. No stage carriage shall be used or employed unless nor until there shall be truly painted in words at length, and in legible and conspicuous letters 1 inch at the least in height, and of a proper and proportionate breadth, and in a colour different from the opposite to the colour of the ground on which such letters shall be painted, upon some conspicuous part of each side of such carriage, and clear of the wheel or wheels thereof, so that the same shall be at all times plainly and distinctly visible and legible, the Christian name and surname of the proprietor or of one of the proprietors of such carriage . . .

and if any person shall use or employ any stage carriage upon which all such particulars as aforesaid shall not be truly painted, in such legible and conspicuous letters and in manner aforesaid, or in case such particulars or any of them shall be partially obliterated or defaced from or upon any such carriage, then if any such person shall neglect to paint or cause to be painted again, in manner aforesaid, every particular so obliterated or defaced, such person so offending in any of the cases aforesaid shall forfeit five pounds.

As to other particulars to be painted, see 5 & 6 Vict. c. 79, s. 14, *post*, p. 243; and, as to metropolitan stage carriages, see 6 & 7 Vict. c. 86, s. 7, *post*, p. 255, and 32 & 33 Vict. c. 115, s. 9 (1), *post*, p. 279.

37. No outside passenger nor any luggage shall be carried on the top or roof of any stage carriage the top or roof of which from the ground shall be more than 8 feet 9 inches, or the bearing of which on the ground shall be less than 4 feet 6 inches from the centre of the track of the right or off wheel to the centre of the track of the left or near wheel. [Penalty on driver, five pounds.]

As to number of outside passengers, see 5 & 6 Vict. c. 79, s. 17, *post*, p. 244.

43. [No luggage carried on the top of any stage carriage drawn by four or more horses to exceed 10 feet 9 inches in height from the ground, and luggage carried on the top of any stage carriage drawn by two or three horses only not to exceed 10 feet 3 inches in height from the ground, under a penalty on driver of five pounds.]

45. [Justices, constables, road surveyors, toll collectors, and passengers authorized to cause stage carriages and luggage to be measured and the passengers to be counted, &c.; penalty on the proprietor or driver for refusal, five pounds.]

By 5 & 6 Vict. c. 79, s. 16, p. 244, any constable or passenger may measure the seats; see section 18 as to recovery of penalties under these Acts, p. 245.

This section and the preceding applied to conditions of travelling that do not at present exist.

47. If the driver of any stage carriage drawn by three or more horses shall at any place where such carriage shall stop quit the box of such carriage, or the horses drawing the same, without delivering the reins into the hands of some fit and proper person, or before some fit and proper person shall be placed and shall stand at the heads of the horses or some of them belonging thereto and shall have the command thereof;

or if any person so placed and standing at the heads of such horses shall leave such horses before some other proper person shall be placed and stand in like manner and have the command of such horses, or before the driver of such stage carriage shall have returned and seated himself upon the box and taken the reins;

or if the driver of any stage carriage shall permit any passenger or any person other than himself to drive the horses drawing such carriage;

or if the driver of any stage carriage shall quit the box of such carriage without reasonable occasion, or for a longer time than such occasion shall absolutely require;

* * * * *

or if any person travelling as guard to any stage carriage shall, whilst the horses are harnessed or in the act of being harnessed thereto, and whilst any passenger shall be in, upon, or about such carriage, discharge any fire-arms, except for the necessary defence of such carriage or of the passengers or luggage being in or about the same;

Neglecting to paint such particulars, 5l.

Not to carry outside passengers or luggage on the top in certain cases.

Luggage on the top of any stage carriage.

Measuring carriages, &c.

Driver of 3 or more horses quitting the box before a proper person shall stand at the horses' heads;

leaving horses' heads;

any driver permitting any person to drive or

quitting the box;

guard discharging fire-arms;

driver, &c., neglecting luggage ; or if the driver, or conductor, or guard of any stage carriage shall neglect to take due care of any luggage whatsoever carried or to be carried by such carriage ;

or asking excessive fare ; or if any such driver, or conductor, or guard shall demand or receive for the fare of any passenger more than the sum which such passenger shall be liable to pay, or more than the money properly chargeable for the carriage of any luggage ;

or neglecting to account ; or if any such driver, or conductor, or guard shall when thereto required, neglect or refuse faithfully to account to his employer for all moneys received by him in respect of any passenger or any luggage which shall be carried by such carriage ;

or assaulting or abusing any person. or if any such driver, or conductor, or guard shall assault or use abusive or insulting language to any person travelling or about to travel or having travelled as a passenger with or by such carriage, or to any person accompanying or attending upon any such passenger in coming to or going from such carriage ;

every such offender in any of the several cases aforesaid shall forfeit five pounds.

As to metropolitan stage carriages, see 6 & 7 Vict. c. 86, ss. 22, 23, 28, 33, *post*, pp. 259–263.

Furious driving or misconduct.

48. If the driver or conductor or guard of any stage carriage, or any other person having the care thereof, or employed in, upon, or about such carriage, shall through intoxication or negligence, or by wanton and furious driving, or by or through any other misconduct, endanger the safety of any passenger or other person, or shall injure or endanger the property of the owner or proprietor of such stage carriage or of any other person, every such person so offending shall forfeit five pounds.

As to metropolitan stage carriages, see 6 & 7 Vict. c. 86, s. 28, and see references on second para., *post*, p. 262.

This is also a misdemeanour by 24 & 25 Vict. c. 100, s. 35, *ante*, p. 23.

Liability of owners for penalties where driver or guard is not known or cannot be found.

49. Whenever it shall happen that the driver or conductor or guard of any stage carriage shall have committed any offence against this Act for the commission whereof any penalty is by this Act imposed upon such driver or conductor or guard, and not upon the proprietor of such carriage, and such driver or conductor or guard shall not be known, or being known cannot be found, then the proprietor of such carriage shall be liable to every such penalty as if he had been the driver or conductor or guard of such carriage at the time when such offence was committed :

Provided always, that if any such proprietor shall make out, to the satisfaction of the justice of the peace before whom any complaint or information shall be heard, by sufficient evidence not resting on his own testimony, that the offence was committed by such driver or conductor or guard without the privity or knowledge of such proprietor, and that no profit, advantage, or benefit, either directly or indirectly, has accrued or can accrue to such proprietor therefrom, and that he has used his endeavour to find out such driver or conductor or guard, and given all reasonable information in answer to inquiries respecting him, such justice shall discharge the proprietor from such penalty, and levy the same upon such driver or conductor or guard, when found.

As to metropolitan stage carriages, see 6 & 7 Vict. c. 86, s. 35, *post*, p. 264.

Procedure.

101. [Duties, debts, and penalties recoverable with full costs and all other reasonable charges and expenses.] Recovery of duties, &c.

102. [Pecuniary penalties may be sued for in superior courts; consent of the commissioners of stamps requisite.]

103. [A justice having jurisdiction where the offence is committed may hear and determine any offence for which the penalty does not exceed twenty pounds; appeal to general or quarter sessions; proceedings not to be quashed for want of form, nor removed into any superior or other Court]. Certain penalties summarily;

104. [Penalties cannot be recovered before a justice by any person other than officers of excise except in the following cases:—

In relation to horses let for hire or duties thereon;

A driver carrying a greater number of passengers than is allowed, or by whom. outside passengers or luggage in contravention of this Act;

Allowing any person to sit on any luggage, or on roof allotted for luggage;

Allowing more than one person besides the driver on the box;
(These last two offences are dealt with in the next Act.)

Not allowing carriage to be measured, or passengers counted, or for any offence which may subject the driver, conductor, or person holding the horses, or employed about the stage carriage, or a constable, to a penalty, or by one summoned neglecting to give evidence.]

See also 5 & 6 Vict. c. 79, s. 18, *post*, p. 245.

105. [Justices may mitigate penalties.]

Similar powers are contained in 2 & 3 Vict. c. 71, s. 35.

Mitigation of penalties.

107. [Justice to receive the Crown's share of penalties, and pay the same to the clerk of the peace, to be remitted to the stamp office; penalty on the justice or clerk of the peace for neglecting to pay over the penalties received, fifty pounds.] Crown's share how payable.

As to application of penalties, see section 6 of 3 & 4 Will. c. 48 on next page.

109. Any summons issued by any justice of the peace requiring any defendant or any witness or other person to appear before such justice or any other justice with reference to any information, complaint, or other proceeding for the recovery of any duty or penalty under this Act, shall be deemed to be well and sufficiently served in case either the summons or a copy thereof be served personally upon such person as aforesaid, or be left at his usual or last place of residence, or, in case such person be a proprietor, driver, conductor, or guard of any stage carriage, be left with the book-keeper or person for the time being acting as book-keeper for such stage carriage, in any town or place from into or through which such carriage shall go or be driven nearest to the place where any such offence shall be committed; and any notice by this Act required to be given to the proprietor of any stage carriage or to any other person shall be deemed to be well and sufficiently served in case either such notice or a copy thereof be served personally upon such proprietor or other person, or be left at his usual or last place of residence, or (in the case of such proprietor) be left with any book-keeper or person acting as book-keeper at any office belonging to such proprietor. Service of summonses and other notices.

As to service of summons see 2 & 3 Vict. c. 71, s. 20

Carriages,
&c.,
chargeable
with duties,
&c.

114. [Carriages, horses, harness, &c., chargeable with the duties and penalties incurred, and costs ; persons selling or disposing of such carriages, &c., after notice to be accountable to extent of the value thereof, for the duties, &c., which may be recovered as a debt due to His Majesty accordingly.]

Sale of goods
distrained.

115. [In what manner goods distrained under this Act shall be sold.]

117. [Interpretation of terms :—

“ Proprietor ” used with reference to any stage carriage shall be construed to mean and shall include any and every person who shall keep, use or employ such stage carriage or who shall be concerned in the keeping, using, or employing thereof : . . .

“ Driver ” used with reference to any stage carriage means the coachman, driver, or director thereof . . .

“ Luggage ” means any trunk, box, bale, parcel, package, corn, or other article whether belonging to any passenger conveyed by such carriage or not.]

THE LONDON HACKNEY CARRIAGES ACT, 1833.

(3 & 4 Will. 4, c. 48.)

The foregoing Act was amended by an Act of 1833, 3 & 4 Will. 4, c. 48, the material provisions of which are as follows. Note that the title to the Act is misleading, as the existing sections apply to London and areas outside. Section 7, which applied only to London and gave the Act its title, is now repealed.

Sitting on
luggage, &c.

4. No person shall be allowed to sit or be carried upon any luggage placed on the roof of any stage carriage, and that not more than one passenger or other person shall be allowed to sit or be carried upon the box with the driver of any stage carriage. [Penalty, five pounds.]

Recovery of
penalties.

5. [Penalties may be recovered before a justice as under the Stage Carriage Act, 1832, 2 & 3 Will. 4, c. 120, as if the provisions relating to procedure were re-enacted in this Act.]

Application
of penalties.

6. [All pecuniary penalties incurred under this Act, and under the Stage Carriage Act, 1832, or either of them, by whomsoever recovered, to go to the Crown, and be paid to the solicitor of stamps in manner directed by said Act, and be deemed part of the revenue arising from stamp duties ; commissioners of stamps may give all or any part of any such penalties as rewards to persons who have detected the offences for which such penalties have been incurred, or who have given information which may have led to the discovery thereof or to the conviction.]

These penalties wherever recovered go to the Crown.

THE RAILWAY PASSENGER DUTY ACT, 1842.

(5 & 6 Vict. c. 79.)

Overcrowd-
ing.

13. No stage carriage shall be allowed to carry at one time a greater number of passengers in the whole, or in the inside or on the outside thereof, than the same is constructed to carry according to the regulations of this Act ;

and that no such carriage shall be deemed to be constructed to carry a greater number of passengers than the same will contain at one time, upon fit and proper seats provided therein or thereupon for that purpose, allowing for every passenger, on an average, upon each and every separate seat, a space convenient for sitting thereon of 16 inches, measuring in a straight line lengthwise on the front of each seat :

Provided always that no child under 5 years of age, sitting in the lap, shall be deemed a passenger within the meaning of this Act.

This section (as regards stage carriages in the Metropolitan Police District and the City of London which are built after the year 1870) must be read with section 9 of the Metropolitan Public Carriages Act, 1869, *post*, p. 279. s. 15.

The London County Council (Tramways and Improvements) Act, 1913, provides by section 27: "Notwithstanding anything to the contrary contained in any Act, Order, Bye-law, or Regulation, the Council may during inclement weather or on Sundays or Bank or other public holidays throughout the day or on Saturdays after 12 o'clock noon or (with the consent of the Commissioner of Police of the Metropolis) on special occasions carry inside on any carriage used by them on any tramway an additional number of passengers not exceeding one-third of the number of inside passengers which such carriage is licensed to contain." 3 & 4 Geo. 5, c. cii, s. 27.

The word "inside" in the section 27 of the local Act means lower compartment and does not include the top, although completely covered in ; an excess in the number of persons allowed in the top portion constitutes an offence against section 13 of the Railway Passengers Duty Act, 1842. *Phesse v. Fisher*, [1915] 1 K.B. 572.

There is no legal justification for the standing passengers at the present time permitted in omnibuses. Proceedings as to overcrowding may be taken under this Act, or under bye-laws of a tramway company under section 46 of Tramway Act. *Brian v. Aylward*, [1902] 18 T.L.R. 371 ; *Stokell v. Baldwin*, [1892] 8 T.L.R. 346. It is the practice to license trams to carry so many out and so many in. It is an offence if the number either in or out is exceeded, even if the total number is not exceeded. *Black v. Neilson*, [1897] 2 Adam. Just. Cas. 424 ; 25 R. 98 ; see also *Stokell v. Baldwin*, *vide supra*. Regulations as to overcrowding for the protection of public may be enforced by the police or a member of public against drivers, conductors, or proprietors. *Badcock v. Sankey*, [1890] 54 J.P. 564 ; *City of Oxford Tramway Co. v. Sankey*, [1890] 54 J.P. 52 ; and passengers are liable for aiding and abetting overcrowding. *In re Stevens*, [1898] 62 J.P. 810.

14. No stage carriage shall be used or employed unless nor until there be truly painted, in words at length, and in legible and conspicuous Roman letters, 1 inch at the least in height, and of a proper and proportionate breadth, and in a colour different from and opposite to the colour of the ground on which such letters shall be painted, and in one or more straight horizontal line or lines, upon some conspicuous part on the outside of such carriage, at the back thereof, and also in the inside thereof, and where the same shall be constructed to carry passengers in different compartments, then in each such compartment, and so that the same shall be at all times plainly and distinctly visible and legible, the number of passengers which such carriage is constructed to carry according to this Act in the whole, and on the outside and in the inside thereof respectively, and in each such compartment ;

Particulars to be painted.

and if any stage carriage shall be used or employed without having all and every such particulars painted thereon in manner aforesaid, or if any stage carriage shall be used or employed having thereon or in or on any part thereof, any words or figures, or any particulars whatever, specifying or importing, or tending or intending to signify or import, that the same is constructed or in any way authorized to carry a greater number of passengers in the whole, or on the outside

Using stage carriage without proper particulars painted thereon.

or in the inside thereof respectively, or in any compartment thereof, than the same is truly constructed to carry according to the regulations of this Act, the proprietor thereof shall forfeit the sum of ten pounds.

As to other particulars to be painted, see 2 & 3 Will. 4, c. 120, s. 36, *ante*, p. 238, and (as to metropolitan stage carriages) 6 & 7 Vict. c. 86, s. 7, *post*, p. 255, and 32 & 33 Vict. c. 115, s. 9 (1), *post*, p. 279.

Over-
crowding.

15. If the number of passengers at any one time conveyed in, upon, or about any stage carriage shall be greater in the whole, or upon or about the outside thereof, or in the inside thereof, or in any compartment thereof respectively, than the same is constructed to carry according to the regulations of this Act, or than any particulars painted thereon shall specify in the whole, or upon the outside thereof, or in the inside thereof, or in any compartment thereof respectively, the driver and conductor or guard thereof for the time being respectively shall forfeit the sum of five pounds.

See note to section 13, *ante*.

Measuring
seats.

16. It shall be lawful for any constable or peace officer at any time, and also for any person travelling or having immediately before travelled by any stage carriage, in any case where he shall have reason for believing or suspecting that a greater number of passengers are carried or are about to be carried, or have immediately before, or at any time during the journey last performed, been carried, by such stage carriage, to measure the seats or any of the seats in or upon such carriage, in order to ascertain the length thereof respectively, or the number of passengers which the said carriage is constructed to carry; and if any person shall refuse to permit the seats in or upon any such stage carriage to be measured, or shall by any means or in any way prevent or attempt to prevent any constable, peace officer, or other such person as aforesaid from or hinder or obstruct him in measuring the same, the person so offending shall forfeit for every such offence the sum of five pounds.

There is a similar provision in 2 & 3 Will. 4, c. 120, s. 45, *ante*, p. 239.

Passengers
carried
outside.

17. No stage carriage, the top or roof of which shall be more than 8 feet 9 inches from the ground, or the bearing of which on the ground shall be less than 4 feet 6 inches from the centre of the track of the right or off wheel to the centre of the track of the left or near wheel, shall be allowed to carry in any case more than the number of outside passengers hereinafter respectively mentioned; (that is to say), not more than five outside passengers where such carriage shall be constructed to carry, according to the regulations of this Act, not exceeding nine passengers in the whole; not more than eight outside passengers where such carriage shall be constructed to carry, according to the said regulations, in the whole exceeding nine and not exceeding twelve passengers, not more than eleven outside passengers where such carriage shall be constructed to carry, according to the said regulations, in the whole exceeding twelve and not exceeding fifteen passengers; not more than twelve outside passengers where any such carriage shall be constructed to carry, according to the said regulations, in the whole exceeding fifteen and not exceeding eighteen passengers; and not more than two additional outside passengers for every three additional passengers which any such carriage shall be constructed to carry, according to the said regulations, in the whole; and if any greater number of outside passengers shall be carried by any such stage carriage as aforesaid than is hereinbefore specified and allowed, the driver of such stage carriage, and the conductor or guard thereof, at

the time when such offence shall be committed, shall respectively forfeit the sum of five pounds.

See also 2 & 3 Will. 4, c. 120, s. 37, *ante*, p. 239, for similar provisions.

18. [Nothing in this Act shall affect any of the provisions in the Stage Carriage Act, 1832, 2 & 3 Will. 4, c. 120, now in force, not inconsistent with the regulations and provisions herein contained; and all the provisions in the said Act relating to the recovery of penalties before any justice shall be applied for the recovery of any penalty under this Act:]

Not to alter regulations of 2 & 3 Will. 4, c. 120, not inconsistent with this Act.
Recovery of penalties.

Provided always, that it shall be lawful for any person to inform and prosecute for any penalty incurred as well by the owner or proprietor of any stage carriage as by the driver, conductor, or guard thereof, under this Act, so far as relates to the particulars to be painted on stage carriages, or to carrying a greater number of passengers by any stage carriage than the same is constructed to carry, or than is allowed by this Act; provided the information be exhibited or the complaint made within ten days after the offence shall have been committed:

Provided also, that where by this Act any penalty is imposed upon the driver and conductor or guard of any stage carriage respectively for one and the same offence only one prosecution shall be had or maintained for the recovery of such penalty against such driver or conductor or guard, at the option of the person prosecuting for the same.

Only one penalty can be enforced

See sections 103-105 of 2 & 3 Will. 4, c. 120, *ante*, p. 241. The limit of ten days does not appear to be for all prosecutions. It only applies to offences against this Act.

The offending driver or conductor must be summoned as there is no power to summon the proprietor to produce him.

19. In any prosecution for the recovery of any penalty relating to the carrying of passengers by any stage carriage, or to the number of passengers which any stage carriage shall be constructed to carry, if proof be made of the due admeasurement of the height or bearing of such stage carriage, or of the seat or any of the seats in or upon any such carriage, or of the particulars painted thereon, the same shall be deemed and received as evidence thereof without the production of such carriage.

Proof of measurement may be given without production of carriage.

24. [Penalties imposed by this Act may be recovered and applied as any penalty under any Act relating to the stamp duties; and provisions of every such Act to be applicable, so far as consistent with express provisions of this Act.]

Stamp Acts applied.

Penalties under the Stamp Act, 1891 (54 & 55 Vict. c. 39, s. 121) are to be recovered in the High Court. The Stamp Duties Management Act, 1891 (54 & 55 Vict. c. 33), section 26, enacts that fines in respect to duties charged in respect of medicines and cards may be recovered by summary proceedings in like manner as "any fine or penalty under any Act relating to the Excise." The Excise Management Act, 1827 (7 & 8 Geo. 4, c. 53), enacts (sections 65 and 67) that penalties are to be recovered before one or more justices under any Act of Parliament relating to summary proceedings.

25. [Words importing the singular number and masculine gender to include several persons or things and bodies corporate and females] unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction.

Interpretation.

STAGE AND HACKNEY CARRIAGES (LONDON).

The following Acts are in force in the Metropolitan Police District and in the City of London and its liberties referred to herein as *London*; they apply to carriages which are licensed under the Act of 1869 which supersedes many of the provisions of the prior Acts. The Metropolitan Streets Act is not incorporated in or to be read as one with the earlier Acts set forth below, and its procedure is not applicable to them.

THE LONDON HACKNEY CARRIAGE ACT, 1831.

(1 & 2 Will. 4, c. 22.)

This Act extends to any carriage drawn or impelled otherwise than by animal power, 59 & 60 Vict. c. 36, s. 1 (b), *ante*, p. 161.

Definition of
a hackney
carriage.

4. Every carriage with two or more wheels which shall be used for the purpose of standing or plying for hire in any public street or road at any place within the distance of *5 miles from the General Post Office in the City of London*, whatever may be the form or construction of such carriage, or the number of persons which the same shall be calculated to convey, or the number of horses by which the same shall be drawn, shall be deemed and taken to be a hackney carriage within the meaning of this Act; [in all proceedings the term "hackney carriage" to be a sufficient description. Proviso that this Act shall not extend to stage coaches used for the purpose of standing or plying for passengers to be carried for hire at separate fares being duly licensed and having proper numbered plates.]

See note to section 35 below and note to section 4 of 32 & 33 Vict. c. 115.

The limits of this Act are now the Metropolitan Police District and the City of London.

Note the words *public street or road* in this definition. The definition in 6 & 7 Vict. c. 86, s. 2, does not contain these words, but that Act is to be read with 1 & 2 Will. 4, c. 22. Further, 16 & 17 Vict. c. 33 is to be read with 6 & 7 Vict. c. 86. Therefore, the definition in section 4 above applies to all three Acts. It is to be noted that the definition in 32 & 33 Vict. c. 115, s. 4, is different and distinct.

One of the consequences of the difference in the definitions in 1 & 2 Will. 4, c. 22, and 32 & 33 Vict. c. 115, is that the offence of refusing a fare is confined to a public place, while the offence of plying for hire with an unlicensed cab is not confined to a public place. See notes on pp. 247-248.

18. [Carriages, horses, harness, &c., used for being let for hire by licensed person to be liable and chargeable for duties, and may be taken for recovery of duties, penalties, or costs imposed. Persons buying such carriages, &c., to be accountable for duties, &c., thereon.]

Penalties if
not paid by
drivers to be
levied on
proprietors;

27. All pecuniary penalties and costs incurred by reason of any offence committed by the driver of any hackney carriage against the provisions of this Act shall, unless such driver shall pay the same, be levied by distress and sale of the goods of the proprietor of such hackney carriage, and for want of sufficient distress such proprietor shall be committed to the common gaol or house of correction

who shall be
entitled to
recover from
the drivers.

28. Provided always, that every such proprietor who shall pay any penalty or costs incurred by reason of any such offence as aforesaid committed by such driver shall be entitled to recover the same from such driver in a summary manner; and upon complaint made in the premises before any justice of the peace by the said proprietor against the said driver, such justice shall inquire into the same, and shall

cause the sum which shall appear to have been so paid as aforesaid by the said proprietor to be levied by distress and sale of the goods of the said driver ; and for want of sufficient distress such justice shall commit the said driver to the common gaol or house of correction, there to remain for any time not exceeding two calendar months, unless the said sum shall be sooner paid ; and every such imprisonment shall be with or without hard labour as such justice shall direct. Provided always, that if the said driver shall have been previously convicted of the offence for which the said penalty or costs shall be so as aforesaid paid by the said proprietor, then such proceedings shall be had and taken against the said driver upon such conviction for recovery of the penalty and costs in which he shall have been convicted as might have been had and taken thereon in case the said penalty or costs had not been paid by the said proprietor, and upon recovery thereof the sum so paid by such proprietor shall be repaid to him.

As to disputes between proprietors and drivers, or conductors, see the Act of 1843, section 22, *post*, p. 259.

35. Every hackney carriage which shall be found standing in any street or place, and having thereon any of the numbered plates required by this Act to be fixed on hackney carriages, shall, unless actually hired, be deemed to be plying for hire, although such hackney carriage be not on any standing or place usually appropriated for the purpose of hackney carriages standing or plying for hire ;

Plying for hire.

and the driver of every such hackney carriage which shall not be actually hired shall be obliged and compellable to go with any persons desirous of hiring such hackney carriage ;

and upon the hearing of any complaint against the driver of any such hackney carriage for any such refusal, such driver shall be obliged to adduce evidence of having been and of being actually hired at the time of such refusal, and in case such driver shall fail to produce sufficient evidence of having been and of being so hired as aforesaid, he shall forfeit forty shillings.

See 16 & 17 Vict. c. 33, s. 17, *post*, p. 273, as to penalty on driver refusing to go or demanding more than fare. See *Shepherd v. Hack*, 86 L.J. K.B. 1480 ; 117 L.T. 154. Refusing to go or demanding more than fare.

It is clear that it is an offence for a cab-driver who is standing in a public street or place to refuse to take a fare a distance of 6 miles within London. 1 & 2 Will. 4, c. 22, s. 35 ; 16 & 17 Vict. c. 33, ss. 7 and 17.

It is submitted that it is not an offence to refuse a passenger if the cab be standing in a place which is not public, e.g., a railway station or a private yard. See the definition of hackney carriage in section 4 of 1 & 2 Will. 4, c. 22, and the judgment of Blackburn, J., in *Skinner v. Usher*, L.R. 7, Q.B. 423 [1872]. The following cases also affect this matter : *Case v. Storey*, 38 L.J. M.C. 113, [1868] 33 J.P. 470 ; *Curtis v. Embery*, L.R. 7, Ex 369 ; *Clarke v. Stanford*, 40 L.J. M.C. 151, L.R. 6, Q.B. 357, 35 J.P. 662. It is to be noted, however, that control of cabs in a railway station may be exercised by the railway company under 7 Edw. 7, c. 55, s. 2 ; and a cab-driver may become a trespasser at a railway station. See note to section 4 of 32 & 33 Vict. c. 115, at p. 277.

Similarly it is clear that it is an offence for a cab-driver to ply for hire in a public road or place elsewhere than at a standing, 6 & 7 Vict. c. 86, s. 33, but it is decided by *Skinner v. Usher*, *vide supra*, that it is not an offence to ply for hire with a licensed cab anywhere on private ground, e.g., railway station or private yard. Plying for hire.

It has been decided (*ex parte Kippins*, [1897] L.R. 1, Q.B. 1) that a driver is compellable to go to any place within 6 miles of the starting point, whether the place be public or private, and as a consequence of this case and 16 & 17 Vict. c. 33, s. 17, it is apparent that when once a driver in a railway station is hired (e.g., by allowing a bag to be placed on his cab) he is compellable to drive and the rights and obligations of an ordinary

hiring in a street at once arise. See also Lord Bramwell in *Case v. Storey*, 38 L.J. M.C. 113.

Under 32 & 33 Vict. c. 115, s. 7, it is an offence to ply for hire with an unlicensed cab, and the definition of a cab in section 4 of this Act is different from the definition in section 4 of 1 & 2 Will. 4, c. 22. As regards an offence under 32 & 33 Vict. c. 115, s. 7, a cab is plying for hire no matter whether it is in a public or private street or place, and the penalties for being without a licence are incurred by the proprietor and driver if an offer be made to take passengers when standing on private ground within London, and even if the cab merely wait and no direct sign be made to solicit fares. *Clarke v. Stanford*, 40 L.J. M.C. 151; L.R. 6, Q.B. 357, 35 J.P. 662; *Allen v. Tunbridge*, 40 L.J. M.C. 197, 35 J.P. 695, L.R. 6, C.P. 481; *Bateson v. Oddy*, 43 L.J. M.C. 131, 22 W.R. 703, 30 L.T. 712; *Foinett v. Clark*, 41 J.P. 359; compare also *Birmingham Omnibus Co. v. Thompson*, [1918] (2) K.B. 105, 119 L.T. 140; 87 L.J. K.B. 915, decided under the Town Police Clauses Acts. See further, note to section 4 of 32 & 33 Vict. c. 115.

See 16 & 17 Vict. c. 33, s. 17, *post*, p. 273, as to penalty on driver refusing to go or demanding more than fare. See *Shepherd v. Hack*, 86 L.J. K.B. 1480; 117 L.T. 154.

Unlicensed cab.

Compensation to be made to drivers improperly summoned for refusing to carry any person.

36. Provided always, that if the driver of any hackney carriage shall in civil and explicit terms declare to any person desirous to hire such hackney carriage that it is actually hired, and shall afterwards, notwithstanding such reply, be summoned to answer for his refusal to carry such person in his said hackney carriage, and shall upon the hearing of the complaint produce sufficient evidence to prove that such hackney carriage was at the time actually and bona fide hired, and it shall not appear that he used uncivil language, or that he improperly conducted himself towards the party by whom he shall be so summoned, the justice before whom such complaint shall be heard shall order the person who shall have summoned such driver to make to him such compensation for his loss of time in attending to make his defence to such complaint as such justice shall deem reasonable, and in default of payment thereof to commit such person to prison for any time not exceeding one calendar month, unless the same shall be sooner paid.

See also section 57.

Sunday work.

37. It shall be lawful for the proprietor or driver of any hackney carriage which shall be licensed under the authority of this Act to stand and ply for hire with such carriage and to drive the same on the Lord's Day, any former Act or Acts to the contrary notwithstanding; and that such proprietor or driver who shall so stand or ply for hire as aforesaid shall be liable and compellable to do the like work on the Lord's Day as such proprietor or driver is by this Act liable or compellable to do on any other day of the week.

Persons refusing to pay the driver his fare, or for any damage, may be committed.

41. If any person shall refuse or omit to pay the driver of any hackney carriage the sum justly due to him for the hire of such hackney carriage, or if any person shall deface or in any manner injure any such hackney carriage, it shall be lawful for any justice of the peace, upon complaint thereof made to him, to grant a summons, or if it shall appear to him necessary, a warrant, for bringing before him or any other justice such defaulter or offender, and, upon proof of the facts made upon oath before any such justice, to award reasonable satisfaction to the party so complaining for his fare or for his damages and costs, and also a reasonable compensation for his loss of time in attending to make and establish such complaint;

and upon the refusal of such defaulter or offender to pay or make such satisfaction it shall be lawful for such justice to commit him to prison, there to remain for any time not exceeding one calendar month, unless the amount of such satisfaction shall be sooner paid;

and it shall also be lawful for such justice, if he shall think fit, to order such defaulter or offender to be kept to hard labour during such imprisonment.

There is a similar provision as to compensation in sections 36 and 57, in the case of an unsubstantiated complaint made against a driver.

This section is extended to metropolitan stage carriage fares by 6 & 7 Vict. c. 86, s. 7, *post*, p. 255.

Complaint to be made within seven days: 6 & 7 Vict. c. 86, ss. 38, 39, *post*, p. 265.

A fare must be treated as a civil debt, see 42 & 43 Vict. c. 49, s. 6. Penalties are imposed on persons defrauding cabmen by the London Cab Act, 1896, *post*, p. 280.

See Tramway Act, 1870, section 52 and note thereon at p. 291.

43. No agreement whatever made with the driver of any hackney carriage for the payment of more than his proper fare, as the same is allowed and limited by this Act, shall be binding on the person making the same, but that any such person may, notwithstanding any such agreement, refuse, on discharging such hackney carriage, the payment of any sum beyond the proper fare as allowed and limited as aforesaid; and in case any person shall actually pay to the driver of any hackney carriage, whether in pursuance of any such agreement or not, any sum exceeding his said proper fare, which shall have been demanded or required by such driver, the person paying the same shall be entitled, on complaint made against such driver before any justice of the peace, to recover back the sum paid beyond the proper fare, and moreover such driver shall forfeit, as a penalty for such exaction, the sum of forty shillings; and in default of the repayment by such driver of such excess of fare, or of payment of the said penalty, such justice shall forthwith commit such driver to prison, there to remain for any time not exceeding one calendar month, unless the said excess of fare and the said penalty shall be sooner paid.

As to demanding more than the legal fare, see also 16 & 17 Vict. c. 33, s. 17, *post*, p. 273.

44. It shall be lawful for any person to require the driver of any hackney carriage to drive such hackney carriage, for a stated sum of money, a distance in the discretion of such driver, and in case such driver shall exceed the distance which such person was entitled to be driven for such stated sum of money such driver shall not exact or demand more than the sum for which he was so engaged to drive, upon pain to forfeit forty shillings for such offence.

45. If the proprietor or driver of any hackney carriage, or if any other person on his behalf and with his knowledge and consent, shall agree beforehand with any person hiring such hackney carriage to take for any job any sum less than the proper rate of fare allowed by this Act, such proprietor or driver shall not exact or demand for his fare more than the sum agreed for, upon pain to forfeit forty shillings for such offence.

47. Where any hackney carriage shall be hired and taken to any place of public resort, or elsewhere, and the driver thereof shall be required there to wait with such hackney carriage, it shall be lawful for such driver to demand and receive from the person so hiring and requiring him to wait as aforesaid a reasonable sum as a deposit, over and above the fare to which such driver shall be entitled for driving thither, which sum so demanded and received shall be accounted for by such driver when such hackney carriage shall be finally

Agreement to pay more than the legal fare not to be binding.

Sum paid beyond the proper fare may be recovered back.

Penalty, 40s.

Driver may be required to drive for a stated sum a distance in his discretion.

Demanding more than the sum agreed for, though less than the legal fare, 40s.

Deposit to be made for carriages waiting.

Penalty on the driver refusing to wait, or to account for the deposit, 40s.

Check strings.

Permitting persons to ride without consent of the hirer.

Improperly standing with carriage; feeding horses in the street;

refusing to give way or obstructing any other driver;

or depriving him of his fare.

Leaving carriages unattended in streets or at places of public resort.

discharged; and if any such driver who shall have received any such deposit as aforesaid shall refuse to wait with such hackney carriage at the place where he shall be so required to wait, or if such driver shall go away, or shall permit such hackney carriage to be driven or taken away, without the consent of the person making such deposit, before the expiration of the time for which the sum so deposited shall be a sufficient compensation . . . or if such driver on the final discharge of such hackney carriage shall refuse duly to account for such deposit, every such driver so offending shall forfeit forty shillings.

48. [Proprietors to provide check strings; drivers to hold same in their hands. Penalty on proprietor and driver for default, twenty shillings.]

This provision is now obsolete.

50. If the proprietor or driver of any hackney carriage which shall be hired shall permit or suffer any person to ride or be carried in, upon, or about such hackney carriage, without the express consent of the person hiring the same, such proprietor or driver shall forfeit twenty shillings.

There is a similar provision in 6 & 7 Vict. c. 86, s. 33, *post*, p. 263.

51. If any proprietor or driver of any hackney carriage shall stand or ply for hire with such hackney carriage, or suffer the same to stand across any street or common passage or alley, or alongside of any other hackney carriage, or two in a breadth, or within 8 feet of the curbstone of the pavement in any such street or common passage or alley;

or if any such proprietor or driver, . . . or other person, shall feed the horses of or belonging to any hackney carriage in any street, road, or common passage, save only with corn out of a bag, or with hay which he shall hold or deliver with his hands;

or if the driver of any hackney carriage shall refuse to give way if he conveniently can to any private coach or other carriage, or shall obstruct or hinder the driver of any other hackney carriage in taking up or setting down any person into or from such other hackney carriage;

or if any such proprietor or driver shall wrongfully, in a forcible or clandestine manner, take away the fare from any other such proprietor or driver who, in the judgment of any justice of the peace before whom any complaint of such offence shall be heard, shall appear to be fairly entitled to such fare;

every such proprietor, driver, . . . or other person so offending shall forfeit twenty shillings.

Penalties are imposed on drivers of hackney carriages for causing obstruction, &c., or plying for hire by making a noise, 6 & 7 Vict. c. 86, s. 33, *post*, p. 263.

55. If the driver of any hackney carriage shall leave such hackney carriage unattended in any street or road, or at any place of public resort or entertainment, whether such carriage shall be hired or not, it shall be lawful for any officer of police, constable, or other peace officer, watchman, or patrol, to drive away such hackney carriage, and to deposit the same, with the horse or horses belonging or harnessed thereto, at some neighbouring livery stables or other place of safe custody; and such driver shall forfeit twenty shillings for such offence;

and in default of payment of the said penalty upon conviction, and of the expenses of taking and keeping the said hackney carriage and horse or horses, the same, together with the harness belonging

thereto, or any of them, shall be sold by order of the justice before whom such conviction shall be made, and after deducting from the produce of such sale the amount of the said penalty, and of all costs and expenses as well of the proceedings before such justice as of the taking, keeping, and sale of the said hackney carriage, and of the said horse or horses and harness, the surplus (if any) of the said produce shall be paid to the proprietor of such hackney carriage.

56. If the proprietor or driver of any hackney carriage, or any other person having the care thereof, shall by intoxication, or by wanton and furious driving, or by any other wilful misconduct, injure or endanger any person in his life, limbs, or property,

or if any such proprietor or driver, . . . shall make use of any abusive or insulting language, or be guilty of other rude behaviour to or towards any person whatever, or shall assault or obstruct any officer of stamp duties, or any officer of police, constable, or other peace officer, watchman, or patrol, in the execution of his duty,

every such proprietor, driver, . . . or other person so offending in any of the several cases aforesaid, shall forfeit five pounds, and in default of payment thereof he shall be committed to the common gaol or house of correction; . . .

and after the conviction of any such proprietor . . . for any such offence as aforesaid it shall be lawful for the commissioners of stamps, if they shall think fit, to revoke the licence of any such proprietor, and to refuse to grant him any further licence in future.

See 6 & 7 Vict. c. 86, ss. 25, 28, and references on second para. of section 28, *post*, p. 262.

As to assaults on constables and assaults on police, see Metropolitan Police Guide.

As to revocation of proprietor's licence, &c., see 32 & 33 Vict. c. 115, s. 6, *post*, p. 277, and Order of Secretary of State, Appendix, p. 41.

As to arrest without warrant of taxicab driver on suspicion of drunkenness, see *Trebeck v. Croudace*, [1918] 1 K.B. 158 C.A.

57. If any driver of a hackney carriage . . . shall be summoned or brought before any justice of the peace to answer any complaint or information touching or concerning any offence committed or alleged to have been committed by such driver . . . respectively against the provisions of this Act, and such complaint or information shall afterwards be withdrawn or quashed or dismissed, or if the defendant shall be acquitted of the offence charged against him, it shall be lawful for the said justice, if he shall think fit, to order and award that the complainant or informant shall pay to the said driver . . . such compensation for his loss of time in attending the said justice touching or concerning such complaint or information as to the said justice shall seem reasonable; and in default of payment of such compensation it shall be lawful for the said justice to commit such complainant or informant to prison for any time not exceeding one calendar month, unless the same shall be sooner paid.

Compare section 36 above.

59. The owner of every waggon, wain, cart, car, dray, or other such carriage which shall be driven or used in any public street or road within the distance of 5 miles from the General Post Office in the City of London, shall, before such [waggon, &c., or other such] carriage shall be so driven or used as aforesaid, paint or cause to be painted in words at full length, and in one or more straight line or lines, upon some

Proprietors or drivers misbehaving.

Licences may be revoked.

Justices empowered to award compensation to drivers or watermen for their loss of time in attending to answer complaints which shall not be substantiated against them.

Names and places of abode of owners of waggons carts, &c., to be painted thereon.

conspicuous place on the right or off side of such [waggon, &c., or other such] carriage, clear of the wheel or wheels thereof, or upon the right or off-side shaft thereof, the true christian name and surname and place of abode of the owner or (if there be more than one) of the principal owner of such [waggon, &c., or other such] carriage, and the letters of all such words shall be painted in legible and conspicuous characters of black upon a white ground or of white upon a black ground, and shall be at least 1 inch in height, and of a proper and proportionate breadth; and all such words shall be repainted or renewed in like manner from time to time as often as the same or any part thereof shall become obliterated or defaced.

The title and abode of a peer painted on any cart, &c., is to be deemed a sufficient compliance with this Act, 6 & 7 Vict. c. 86, s. 4, *post*, p. 255. There is a similar section in 5 & 6 Will. 4, c. 50, s. 76, p. 46.

Penalty for
default, &c.

60. If any person shall drive or use or cause to be driven or used in or upon any public street or road within the distance of 5 miles from the said General Post Office any waggon, wain, cart, car, dray, or other such carriage upon which there shall not be duly painted in such legible and conspicuous characters as aforesaid and in the manner directed by this Act, the true Christian name and surname and place of abode of the owner, or (if there be more than one) of the principal owner of such waggon, [&c.] or other such carriage, [penalty] five pounds.

and it shall be lawful for any person to take and seize such waggon, [&c.] or other such carriage, and any horse drawing the same, and to lodge the same for safe custody at some public green yard, or some livery stables or other place of safety, and them to detain and keep until some one of His Majesty's justices of the peace shall hear and determine such offence, and until the penalty which such offender shall be liable and adjudged to pay for such offence, together with the costs of the proceedings for the recovery thereof, and the expenses of taking and keeping such [waggon, &c.] and any horse drawing the same, shall be fully paid and discharged;

and if, on the conviction of any such offender, the said penalty, costs, and expenses shall not be forthwith paid, such waggon, [&c.] and the horse, so seized and taken as aforesaid, or either of them, shall be sold, under an order for that purpose under the hand of such justice, directed to the constable or other peace officer of the parish or place where any such offence shall be committed; and the surplus (if any) of the money arising from such sale, after deducting thereout the amount of such penalty, costs, and expenses as aforesaid, together also with the costs and expenses of such sale, shall be rendered to the owner of the waggon [&c.] or other carriage or horse which shall have been so seized and sold as aforesaid.

See 5 & 6 Will. 4, c. 50, s. 78, p. 46, for similar provisions as to highways.

Jurisdiction
as to
offences.

62. [Before whom offences shall be heard and determined; viz., in a police court or special place appointed for that purpose by a Secretary of State before a metropolitan police magistrate or other justice of the peace appointed by a Secretary of State from 11 o'clock to 3, wherever the offences may have been committed]: Provided always, that it shall also be lawful for any other of His Majesty's justices of the peace, having jurisdiction where any such offence as

aforesaid shall be committed, in like manner to hear and determine the same at any place within his jurisdiction.

All the Courts of Summary Jurisdiction come within this proviso.

The power of appointing a special court has not been exercised.

See 6 & 7 Vict. c. 86, ss. 36, 39, *post*, pp. 264, 265, and 16 & 17 Vict. c. 33, s. 18, *post*, p. 274, as to procedure.

63. It shall be lawful for any such justice as aforesaid, in all cases in which no other mode of proceeding is specially provided or directed by this Act, upon information or complaint made by any person of any offence against the provisions of this Act within thirty days next after the commission of any such offence, to summon the party accused, and also the witnesses on either side, to appear before the said justice, or before any other justice of the peace, at a time and place to be appointed for that purpose; and either on the appearance of the party accused, or in default thereof, it shall be lawful for such justice, or any other justice present at the time and place appointed for such appearance, to proceed to examine into the matter of fact, and upon due proof made thereof, by voluntary confession of the party, or by oath of one or more credible witness or witnesses, to give judgment for the penalty or forfeiture, and on non-payment thereof, together with the costs of such proceedings, to commit the offender to prison, where such commitment is specially directed by this Act; and in any case where such commitment is not so specially directed such justice is hereby required to award and issue out of his warrant for the levying of any penalty or forfeiture so adjudged, together with the said costs and expenses, and also the costs and expenses of such warrant, and of levying the same, on the goods of the offender, and to cause sale to be made of such goods in case they shall not be redeemed within five days, rendering to the party the overplus (if any), and where goods of such offender cannot be found sufficient to answer the penalty, and all such costs and expenses, to commit such offender to prison, there to remain for any time not exceeding two calendar months, unless such penalty and all such costs and expenses shall be sooner paid; and every such imprisonment shall be with or without hard labour, as such justice shall direct; . . .

Mode of proceeding for penalties before a justice of the peace.

Complaints must be made within seven days; penalty may be paid by instalments, 6 & 7 Vict. c. 86, ss. 38, 39, *post*, p. 265.

68. Any summons issued by any justice of the peace requiring the appearance of any defendant, or of any witness, or other person, with reference to any information, complaint, or other proceeding pending for the recovery of any duty or penalty under this Act, shall be deemed to be well and sufficiently served in case either the summons or a copy thereof be served personally on any such person as aforesaid, or be left at his usual or last place of abode, or (in case such person be a licensed proprietor of a hackney carriage . . .), at the place specified in any such licence as the place of abode of such proprietor . . . ; and if the place so specified cannot be found, or if such proprietor . . . shall not be known thereat, then such summons shall be deemed to be well and sufficiently served if the same or a copy thereof be fixed up in some conspicuous place in the said head office for stamps [i.e., in the City of Westminster], to be appointed for that purpose.

Service of justice's summons.

See 6 & 7 Vict. c. 86, s. 41, *post*, p. 266; and 2 & 3 Vict. c. 71, s. 20, as to service of summons.

Mitigation of penalties.

70. It shall be lawful for any justice of the peace before whom any person shall be convicted of any offence against any of the provisions of this Act to mitigate as he shall think fit, any penalty by this Act imposed, in cases where such justice shall see cause so to do . . .

A similar provision is contained in 6 & 7 Vict. c. 86, s. 45, and 2 & 3 Vict. c. 71, s. 35.

Application of penalties.

71. [All pecuniary penalties recovered before a justice under this Act, except those recovered in the City of London or Borough of Southwark, to be divided as follows: one moiety to His Majesty, and the other (with costs) to] the person who shall inform and prosecute for the same.

As to application of penalties see 6 & 7 Vict. c. 86, s. 46, *post*, p. 267.

Penalties recovered in a police court are payable one half to the Crown and one half to the informer, unless the magistrate diminish the informer's share under 2 & 3 Vict. c. 71, s. 34.

Interpretation.

74. [Words importing the singular number or masculine gender to include several persons or animals, females, bodies politic or corporate, and several matters or things, as well as one matter or thing unless repugnant to the context.]

THE LONDON HACKNEY CARRIAGES ACT, 1843.

(6 & 7 Vict. c. 86.)

The office of Registrar of Public Carriages was abolished by section 1 of 13 & 14 Vict. c. 7, and his duties transferred by section 2 thereof to the Commissioner of Police whose designation is substituted below.

Definitions.

2. The words hereinafter mentioned, which in their usual signification have a more confined or different meaning, shall in this Act (except where the nature of the provisions or the context of the Act shall exclude such construction) be interpreted as follows: (that is to say) the words "hackney carriage" shall include every carriage (except a stage carriage) which shall stand on hire or ply for a passenger for hire at any place within the limits of the City of London and the liberties thereof, and Metropolitan Police District; and the words "metropolitan stage carriage" shall include every stage carriage except such as shall on every journey go to or come from some town or place beyond the limits aforesaid; and the word "proprietor" shall include every person who, either alone or in partnership with any other person, shall keep any hackney carriage or any metropolitan stage carriage, or who shall be concerned otherwise than as a driver or attendant in employing for hire any hackney carriage or any metropolitan stage carriage; and the word "conductor" shall include every director or other person, except the driver, who shall attend upon the passengers in any metropolitan stage carriage; . . . and the word "passenger" shall include every person carried by any hackney carriage, or by any metropolitan stage carriage, except one driver, and, where there shall be a conductor to such metropolitan stage carriage, one conductor; and the word "horse" shall include every mare and gelding; and every word importing the singular number only shall extend and be applied to several persons and things as well as to one person or thing; and every word importing the masculine gender only shall extend to a female as well as to a male.

For definitions of hackney carriage and stage carriage see also 32 & 33 Vict. c. 115, ss. 4, 5, *post*, p. 276, and note to section 4 of 1 & 2 Will. 4, c. 22, p. 246.

Under section 3 of 7 Edw. 7, c. 55, *post*, p. 282, the Secretary of State may by special or general order apply the provisions of the Acts relating to stage carriages in London to stage carriages that travel on each journey beyond the limits of this Act.

As to meaning of *proprietor*, see *Kemp v. Elisha*, [1918] 1 K.B. 228; 118 L.T. 246, 87 L.J. K.B. 428; see also p. 262, *post*.

3. So much of the London Hackney Carriage Act, 1831 [1 & 2 Will. 4, c. 22], as relates to hackney carriages . . . and not hereby repealed . . . shall extend and apply to hackney carriages . . . within the meaning of this Act. Extension of Act, 1831.

From *Kemp v. Elisha*, *supra*, it seems that all the Act of 1831, which refers to licensing and registration, is repealed.

4. [Title and place of abode of a peer of the realm or other person usually known by some title of rank painted on any cart, &c., to be deemed in compliance with the provisions of section 59 of the London Hackney Carriage Act, 1831 [1 & 2 Will. 4, c. 22], which relate to name of owner.] Name on cart, peer.

7. The proprietor of every metropolitan stage carriage shall keep distinctly painted, both on the outside and inside of the same, in such manner and in such position as shall from time to time be directed by the *Commissioner of Police*, the words "metropolitan stage carriage," or such other words as the *Commissioner of Police* shall direct . . . ; and shall also, on the inside of every such carriage, keep distinctly painted in a conspicuous manner a table of fares to be demanded of passengers by such carriage; and the fares therein specified shall be deemed to be the only lawful fares, and may be recovered by the driver or conductor as in the case of hackney carriages, in a summary way, before any justice of the peace; and every proprietor making default in the premises shall forfeit twenty shillings for every offence. Particulars to be painted on metropolitan stage carriages; recovery of fare.

As to other particulars to be painted on stage carriages, see 2 & 3 Will. 4, c. 120, s. 36, *ante*, p. 238; 5 & 6 Vict. c. 79, s. 14, *ante*, p. 243.

As to recovery of hackney carriage fares, see 1 & 2 Will. 4, c. 22, see section 41, *ante*, p. 248.

It seems that in the case of trams the notices need not be painted, and fare tables only are required, see section 45 of Tramways Act, 1870, p. 288. *Cousins v. Stockbridge*, [1866] 30 J.P. 166.

8. It shall be lawful for the *Commissioner of Police* to grant a licence to act as driver of hackney carriages, or as driver or as conductor of metropolitan stage carriages, . . . (as the case may be), to any person who shall produce such a certificate as shall satisfy the said *Commissioner of Police* of his good behaviour and fitness for such situation respectively: Provided always that no person shall be licensed as such driver as aforesaid who is under sixteen years of age; and in every such licence shall be specified the number of such licence, and the proper name and surname and place of abode, and age, and a description of the person to whom such licence shall be granted . . . ; and every such licence shall bear date on the day on which the same shall be granted . . . ; and on every licence of a driver or conductor the *Commissioner of Police* shall cause proper columns to be prepared, in which every proprietor employing the driver or conductor named in such licence shall enter his own name and address, and the days on which such driver or conductor shall enter and shall quit his service respectively; and in case any of the particulars entered or endorsed upon any licence in pursuance of this Act shall be erased or defaced every such licence shall be wholly void and of none effect; Licences by Commissioner of Police to drivers, conductors.

At the time granting any licence an abstract of the laws and a ticket to be given.

and the said *Commissioner of Police* shall at the time of granting any licence deliver to the driver or conductor to whom the same shall be granted an abstract of the laws in force relating to such driver or conductor, and of the penalties to which he is liable for any misconduct, and also a metal ticket upon which there shall be marked or engraved his office or employment and a number corresponding with the number which shall be inserted in such licence.

As amended by 13 & 14 Vict. c. 7, ss. 1, 2, and 37 & 38 Vict. c. 96.

The foreman of a proprietor in making entries inserted two dates for the termination of the driver's employment. This was to the foreman's knowledge prejudicial to the driver. On the hearing of the complaint before a magistrate under section 22 below, two proprietors gave evidence that they would not employ a man who had such an entry on his licence. *Held*, that the matter was a "matter of complaint" within section 22, that the entry amounted to a defacement of the licence, and that there was evidence upon which the magistrate could award compensation. *Norris v. Birch*, [1895] 1 Q.B. 639.

Suspension of Licence.—Where an omnibus conductor has been fined several times, on his next application for renewal the Commissioner may suspend the licence, and is not bound to renew it, though a certificate of good conduct be produced. *R. v. Commissioner of Police*, 28 J.P. 438.

See 32 & 33 Vict. c. 115, ss. 8, 11, 15, *post*, pp. 278, 280, and Order of Secretary of State, Appendix, p. 43.

Persons acting as drivers, &c., without licences and tickets.

10. It shall not be lawful for any person to act as driver of any hackney carriage, or as driver or conductor of any metropolitan stage carriage whether such person shall or shall not be the proprietor of such carriage . . . within the limits of this Act, unless in each case such person shall have a licence so to do, and a numbered ticket granted to him under the authority of this Act, and remaining in force ;

and every person who shall act as such driver or conductor . . . without such licence and ticket . . . and also every person to whom a licence and ticket shall have been granted, who shall, except in compliance with the provisions of this Act, transfer or lend such licence, or permit any other person to use or wear such ticket, shall for every such offence forfeit the sum of five pounds ;

Proprietors suffering drivers or conductors so to do.

and every proprietor who shall knowingly suffer any person not duly licensed under the authority of this Act to act as driver of any hackney carriage, or as driver or as conductor of any metropolitan stage carriage, of which he shall be the proprietor, shall for every such offence forfeit the sum of ten pounds ;

Provided always, that nothing hereinbefore contained shall subject to any penalty any proprietor who shall employ any unlicensed person to act as such driver or conductor as aforesaid for any time not exceeding twenty-four hours, or any unlicensed person who shall be so employed for the said time, upon proof being adduced by the proprietor, to the satisfaction of the justice of the peace before whom such proprietor, driver, or conductor shall be required to attend to answer for such offences respectively, that such employment was occasioned by unavoidable necessity ;

and that every proprietor who shall so employ such unlicensed driver or conductor, and every such unlicensed driver or conductor, shall be subject to all the powers, provisions, and proceedings of and under this Act or [The London Hackney Carriage Act, 1831, 1 & 2 Will. 4, c. 22], for any act done by such driver or conductor during such employment, in like manner as if such driver or conductor had been duly licensed.

Omitted parts repealed by 37 & 38 Vict. c. 96. See note to section 8.

Requisition for licence ;

14. Before any such licence as aforesaid shall be granted a requisition for the same in such form as the said *Commissioner of Police* shall from time to time appoint for that purpose, and accompanied with

such certificate as hereinbefore is required, shall be made and signed by the person by whom such licence shall be required, and in every such requisition all such particulars as the *Commissioner of Police* shall require shall be truly set forth; and every person applying for or attempting to procure any such licence who shall make or cause to be made any false representation in regard to any of the said particulars, or who shall endeavour to obtain a licence by any forged recommendations, or who shall not truly answer all questions which shall be demanded of him in relation to such application for a licence, and also every person to whom reference shall be made who shall, in regard to such application, wilfully and knowingly make any misrepresentation, shall forfeit for every such offence the sum of five pounds; and it shall be lawful for the *Commissioner of Police* to proceed for recovery of such penalty before any magistrate at any time within one calendar month after the commission of the offence, or during the currency of the licence so improperly obtained.

false representations.

As amended by 13 & 14 Vict. c. 7, ss. 1, 2.

See Order of Secretary of State, Appendix, p. 38.

15. As often as any driver or conductor . . . shall change his place of abode he shall give notice thereof in writing, signed by him, to the said *Commissioner*, specifying in such notice his new place of abode, and shall at the same time produce his licence to the said *Commissioner*, who shall endorse thereon a memorandum specifying the particulars of such change; and every driver or conductor who shall change his place of abode, and shall neglect for two days to give notice of such change, and to produce his licence in order that such memorandum as aforesaid may be endorsed thereon, shall forfeit for every such offence the sum of twenty shillings; and it shall be lawful for the *Commissioner*, or for any person employed by him for that purpose, to sue for such penalty at any time during the currency of such licence;

Change of abode of drivers, &c.

As amended by 13 & 14 Vict. c. 7, ss. 1, 2, and 37 & 38 Vict. c. 96.

16. The particulars of every licence which shall be granted as aforesaid shall be entered in books to be kept for that purpose at the office of the said *Commissioner*; and in all courts, and before any justice of the peace, and upon all occasions whatsoever, a copy of any entry made in any such book, and certified by the person having the charge thereof to be a true copy, shall be received as evidence, and be deemed sufficient proof of all things therein registered, without requiring the production of the said book, or of any licence, or of any requisition or other document upon which any such entry may be founded; and every person applying at all reasonable times shall be furnished with a certified copy of the particulars respecting any licensed person, without payment of any fee.

Entry of licences; copies, evidence.

As amended by 13 & 14 Vict. c. 7, ss. 1, 2. A book is also kept by the *Commissioner of Police* for the Metropolis in which the particulars of licences granted to proprietors of hackney and stage carriages are entered, to which probably 14 & 15 Vict. c. 99 (*Law of Evidence*), s. 14, would apply in like manner as the enactment in the text does to the book of entries concerning licences of drivers and conductors.

17. Every licensed driver and conductor . . . shall at all times during his employment, and when he shall be required to attend before any justice of the peace, wear his ticket conspicuously upon his breast, in such manner that the whole of the writing thereon shall be distinctly legible; and every driver, conductor . . . who shall act as such, or who shall attend when required before any justice of

Tickets to be worn by drivers, &c.

the peace, without wearing such ticket in manner aforesaid, or who, when thereunto required, shall refuse to produce such ticket for inspection, or to permit any person to note the writing thereon shall for every such offence forfeit forty shillings.

Licences and tickets to be delivered up on the expiration of licences ; penalty.

18. Upon the expiration of any licence granted under this Act the person to whom such licence shall have been granted shall deliver such licence and the ticket relating thereto to the said *Commissioner of Police* ; and every such person who after the expiration of such licence shall wilfully neglect for three days to deliver the same to the said *Commissioner* ; and also every person who shall use or wear or detain any ticket without having a licence in force relating to such ticket, or who shall for the purpose of deception use or wear or have any ticket resembling or intended to resemble any ticket granted under the authority of this Act, shall for every such offence forfeit the sum of five pounds ; and it shall be lawful for the *Commissioner*, or for any person employed by him for that purpose, to prosecute any person so neglecting to deliver up his licence or ticket, at any period within twelve calendar months after the expiration of the licence ; and it shall be lawful for any constable or peace officer or any person employed for that purpose by the *Commissioner*, to seize and take away any such ticket, wheresoever the same may be found, in order to deliver the same to the said *Commissioner*.

See references on sections 8, 15.

New tickets to be delivered instead of defaced or lost tickets.

19. Whenever the writing on any ticket shall become obliterated or defaced, so that the same shall not be distinctly legible, and also whenever any ticket shall be proved to the satisfaction of the *Commissioner of Police* to have been lost or mislaid, the person to whom the licence relating to any such ticket shall have been granted shall deliver such ticket (if he shall have the same in his possession), and shall produce such licence to the said *Commissioner*, and such person shall then be entitled to have a new ticket delivered to him, upon payment, for the use of Her Majesty, of such sum of money not exceeding three shillings as the *Commissioner* shall from time to time appoint :

Provided always, that if any ticket which shall have been proved, as aforesaid, or represented to have been lost or mislaid, shall afterwards be found, the same shall forthwith be delivered to the said *Commissioner* ; and every person into whose possession any such ticket, as last aforesaid, shall be or come, who shall refuse or neglect for three days to deliver the same to the said *Commissioner*, and also every person licensed under the authority of this Act who shall use or wear the ticket granted to him after the writing thereon shall be obliterated, defaced, or obscured, so that the same shall not be distinctly legible, shall for every such offence forfeit the sum of forty shillings.

As amended by 13 & 14 Vict. c. 7, ss. 1, 2.

Forgery of licence or ticket or knowingly uttering a forged licence or ticket, a misdemeanour.

20. Every person who shall forge or counterfeit, or who shall cause or procure to be forged or counterfeited, any licence or ticket by this Act directed to be provided for the driver of a hackney carriage, or for the driver or the conductor of a metropolitan stage carriage, . . . and also every person who shall sell or exchange, or expose to sale, or utter any such forged or counterfeited licence or ticket, and also every person who shall knowingly and without lawful excuse (the proof whereof shall lie on the person accused) have or be possessed of such forged or counterfeited licence or ticket, knowing such licence or ticket to be forged or counterfeited, and also every person knowingly

and wilfully aiding and abetting any person in committing any such offence as aforesaid, shall be guilty of a misdemeanour—[punishment, fine, or imprisonment (with or without hard labour) or both]; and it shall be lawful for any person to detain any such licence or ticket, or for any constable or peace officer, or any person employed for that purpose by the said registrar, to seize and take away any such licence or ticket, in order that the same may be produced in evidence against such offender, or be disposed of as the said *Commissioner* shall think proper.

Not triable at Quarter Sessions.

21. Every proprietor of a hackney carriage and of every metropolitan stage carriage, who shall permit or employ any licensed person to act as the driver or conductor thereof, shall require to be delivered to him, and shall retain in his possession, the licence of such driver or conductor while such driver or conductor shall remain in his service; and in all cases of complaint where the proprietor of a hackney carriage or of a metropolitan stage carriage shall be summoned to produce the driver or conductor of such carriage before a justice of the peace, he shall also produce the licence of such driver or conductor, if at the time of receiving the summons such driver or conductor shall be in his service; and if any driver or conductor complained of shall be adjudged guilty of the offence alleged against him, the justice of the peace before whom he shall be convicted shall in every case endorse upon the licence of such driver or conductor the nature of the offence, and the amount of the penalty inflicted; and every proprietor who shall neglect to require to be delivered to him, and to retain in his possession, the licence of any driver or conductor during such period as such driver or conductor shall remain in his service, or who shall refuse or neglect to produce such licence as aforesaid, shall for every such offence forfeit the sum of three pounds.

Proprietor to retain the licence of drivers or conductors employed by him, and produce them in case of complaint.

22. It shall be lawful for any justice of the peace to hear and determine all matters of complaint between any proprietor of a hackney carriage or metropolitan stage carriage and the driver or conductor of the same respectively, and to order payment of any sum of money that shall appear to be due to either party for wages or for the earnings in respect of any such carriage, or on account of any deposit of money, and to order compensation to the proprietor in respect of damage or loss which shall have arisen through the neglect or default of any driver or conductor to the property of his employer entrusted to his care, or in respect of any sum of money which such proprietor may have been lawfully ordered by a justice of the peace to pay, and which has been actually paid pursuant to such order, on account of the negligence or wilful misconduct of his driver or conductor, and to order such compensation to either party in respect of any other matter of complaint between them as to such justice shall seem proper.

Magistrates to hear and determine disputes.

See *Norris v. Birch*, noted to section 8, *ante*, p. 256.

An agreement between the conductor of a tramway car and the tramways company, whereby the company's manager is made sole judge between the conductor and the company as to the company's right to retain the sum deposited on the conductor's being engaged and his current wages as liquidated damages for breach of his duty, and whereby the manager's certificate is made binding and conclusive evidence in all courts, is not illegal. The manager's certificate in this case is conclusive in a proceeding before a magistrate under this section. *London Tramways Company v. Bailey*, 3 Q.B.D. 217; 47 L.J. M.C. 3.

Agreements between drivers, &c., and proprietors to be in writing.

23. Provided always, . . . that it shall not be lawful, either in any court of law or before any justice of the peace, to enforce the payment of any sum of money claimed from any driver or conductor by any proprietor on account of the earnings of any hackney carriage or metropolitan stage carriage, unless under an agreement in writing, which shall have been signed by such driver or conductor in the presence of a competent witness ; and no such agreement shall be liable to any stamp duty.

Proceedings with respect to licences on quitting service.

24. When any licensed driver or conductor shall leave the service of any proprietor, such proprietor shall, upon demand thereof, return to him his licence : Provided always, that if the said proprietor shall have any complaint against the said driver or conductor, it shall be lawful for such proprietor to retain the licence for any time not exceeding twenty-four hours after the demand thereof, and within that time to apply to the police court of the district in which the said proprietor shall dwell, or if he shall dwell in the City of London or the liberties thereof, then to some justice of the said city, for a summons against him ; and the said proprietor, at the time of applying for the summons, shall deposit the licence with the clerk of such police court or justice ; and in case any proprietor, who, upon demand thereof, shall have refused or neglected to deliver to any driver or conductor his licence, shall not within twenty-four hours, exclusive of Sunday or any day on which the police court shall not sit, apply for such summons and deposit the licence as aforesaid, or shall not appear to prosecute his complaint at the time mentioned in the summons, it shall be lawful for such driver or conductor to apply at the same police court, or to some justice as aforesaid, for a summons against such proprietor ; and upon hearing and deciding the case the justice, if he shall think there was no just cause for detaining the licence, or that there has been needless delay on the part of the proprietor in bringing the matter to a hearing, shall have power to order the said proprietor to pay such compensation to the said driver or conductor as the said justice shall think reasonable ; and payment of such compensation shall be enforced in the same manner as any penalty may be enforced under this Act by such justice ; and the justice shall cause the licence to be delivered to the said driver or conductor, unless any misconduct shall be proved against him, by reason whereof the justice shall think that such licence should be revoked or suspended ; and so long as any proprietor shall neglect to apply for such summons and deposit the licence, after demand thereof, any justice of the peace may in like manner from time to time order compensation to be paid by him to the same driver or conductor ; and no proprietor shall, under any pretence, or by virtue of any claim whatever, retain beyond the time aforesaid the licence of his driver or conductor.

An action is maintainable against a proprietor of a hackney or stage carriage for defacing the licence of a driver or conductor by writing thereon words signifying that the driver or conductor has been dismissed for dishonesty or other misconduct. *Hurrell v. Ellis*, 2 C.B. 295 ; 15 L.J. C.P. 18 ; *Rogers v. Macnamara*, 14 C.B. 27 ; 23 L.J. C.P. 1.

Licences may be revoked or suspended.

25. It shall be lawful for any justice of the peace before whom any driver, or conductor, . . . shall be convicted of any offence, whether under this Act, or any other Act, if such justice in his discretion shall think fit, to revoke the licence of such driver, conductor, . . . and also any other licence which he shall hold under the provisions of this Act, or to suspend the same for such time as the justice

shall think proper, and for that purpose to require the proprietor, driver, conductor, . . . in whose possession such licence and the ticket thereunto belonging shall then be to deliver up the same; and every proprietor, driver, conductor, . . . who, being so required, shall refuse or neglect to deliver up such licence and any such ticket, or either of them, shall forfeit, so often as he shall be so required and refuse or neglect as aforesaid, the sum of five pounds; and the justice shall forthwith send such licence and ticket to the *Commissioner*, who shall cancel such licence if it has been revoked by the justice, or, if it shall have been suspended, shall, at the end of the time for which it shall have been suspended, redeliver such licence, with the ticket, to the person to whom it was granted.

Revocation and suspension of licences is also dealt with by 32 & 33 Vict. c. 115, s. 8, *post*, p. 278, and Order of Secretary of State, Appendix, p. 38.

27. Every driver or conductor authorized by any proprietor to act as driver of any hackney carriage, or as driver or conductor of any metropolitan stage carriage, who shall suffer any other person to act as driver of such hackney carriage, or as driver or conductor of such metropolitan stage carriage, without the consent of the proprietor thereof, and also every person, whether duly licensed or not, who shall act as driver or as conductor of any such carriage without the consent of the proprietor thereof, shall forfeit the sum of forty shillings, and every driver or conductor charged with such offence, who, when required by a justice of the peace so to do, shall not truly make known the name and place of abode of the person so suffered by him to act as driver or conductor without consent of the proprietor, and also the number of the ticket of such person (if licensed), shall be liable to a further penalty of forty shillings; and it shall be lawful for any police constable, without any warrant for that purpose, to take into custody any person unlawfully acting as a driver or as a conductor . . . and to convey him before any justice of the peace, to be dealt with according to law, and also, if necessary, to take charge of the carriage and every horse in charge of such person, and to deposit the same in some place of safe custody until the same can be applied for by the proprietor.

No person to act as driver of any carriage without the consent of the proprietor.

Arrest.

28. Every driver of a hackney carriage, or driver or conductor of a metropolitan stage carriage, who shall be guilty of wanton or furious driving, or who by carelessness or wilful misbehaviour shall cause any hurt or damage to any person or property being in any street or highway, and also every driver, or conductor, . . . who during his employment shall be drunk, or shall make use of any insulting or abusive language, or shall be guilty of any insulting gesture or any misbehaviour, [penalty three pounds, or imprisonment not exceeding two months, with or without hard labour,] and in every case where any such hurt or damage shall have been caused the justice, upon the hearing of the complaint, may adjudge, as and for compensation to any party aggrieved as aforesaid, a sum not exceeding ten pounds, and may order the proprietor of the hackney carriage or metropolitan stage carriage, the driver or conductor of which shall have caused such hurt or damage, forthwith to pay such sum, and also such costs as shall have been incurred, and payment thereof may be enforced against such proprietor as any penalty or sum of money may be recovered under and by virtue of this Act; and any sum which shall be so paid by the proprietor shall in like manner be recovered in a summary way before a justice of the peace from the driver or conductor through whose default such sum shall have been paid, upon proof of the payment thereof,

Punishment for furious driving, and wilful misbehaviour.

Compensation.

pursuant to the order of the justice, or it shall be lawful for the justice in the first instance to adjudge the amount of such compensation to be paid by such driver or conductor to the party aggrieved.

For similar provisions as to the Metropolis, see 2 & 3 Vict. c. 47, s. 54 (5), *ante*, p. 22 ;

as to compensation compare 2 & 3 Vict. c. 47, s. 62 ;

as to highways, 5 & 6 Will. 4, c. 50, s. 78, *ante*, p. 46 ;

as to injuries to persons, 24 & 25 Vict. c. 100, s. 35, *ante*, p. 23 ;

as to Royal Parks, see 35 & 36 Vict. c. 15, s. 4, and First Schedule (5) ;

as to drunkenness in highway or public place, see 35 & 36 Vict. c. 94, s. 12.

A person accepting compensation awarded by a magistrate for injury under this provision is barred from further proceedings, even although he did not initiate the proceedings before the magistrate or request him to award compensation. *Wright v. London General Omnibus Company*, 2 Q.B.D. 271, 41 J.P. 486. Cockburn, C.J., observed : " I think it is a pity, under the circumstances, that the magistrate did not inform the plaintiff what the effect of allowing him to award compensation would be, for I am afraid that the plaintiff was misled, and thought that he was not prejudicing his right to recover further compensation against the company. I hope that this case may operate as a warning to magistrates in other cases to prevent such a misconception, . . . "

Apart from statute, the common law relation of letter and hirer or bailor and bailee exists between proprietor and driver. This common law relationship is altered by the London Public Carriage Acts, 6 & 7 Vict. c. 86, ss. 10, 21, 24, 28, 35, and 1 & 2 Will. 4, c. 22. By these Acts the proprietor and the driver become master and servant. Therefore, any action for negligence should be brought against the proprietor. *Keen v. Henry*, [1894] 1 Q.B. 292.

Thus, if a driver negligently loses a passenger's luggage, the proprietor is responsible, *Powles v. Hider*, [1856] 6 El. & Bl. 207 ; and if there occur an accident, due to the driver's negligence, the proprietor is responsible, *Venables v. Smith*, [1877] 2 Q.B.D. 279 ; *King v. London Improved Cab Co.*, [1889] 23 Q.B.D. 281.

The fact that the vehicle alone belongs to the proprietor, while the horse, harness, and whip belong to the driver does not diminish the responsibility of the proprietor. *Keen v. Henry*, [1894] 1 Q.B. 292.

Even in the case of an assault by the conductor of a tramcar, it may be that an action is sustainable against the proprietor, provided that there is evidence that the conductor thought that he was acting within his authority. *Hutchins v. L.C.C.*, 85 L.J. K.B. 1177 ; 114 L.T. 377.

Where two are partners as owners of cabs, both are liable as proprietors under this section, although one of them only is registered as the proprietor. *Gates v. Bill*, [1902] 2 K.B. 38. This does not mean that the registered proprietor is necessarily liable. The registered proprietor may be, for example, the secretary of a limited company, and have no interest in the cab. Such a registered proprietor may prove that he had no interest. The register is not conclusive evidence. The meaning of the word *proprietor* and the cases are considered fully in *Kemp v. Elisha*, [1918] 1 K.B. 228 ; 87 L.J. K.B. 428 ; 118 L.T. 246 ; see also p. 278.

For similar provisions as to hackney and stage carriages, see 1 & 2 Will. 4, c. 22, s. 56, *ante*, p. 251 ; as to stage carriages, 2 & 3 Will. 4, c. 120, ss. 47-49, *ante*, p. 239 ; as to compensation, 2 & 3 Vict. c. 47, s. 62.

Relationship
of pro-
prietor and
driver.

Responsi-
bility of
proprietor.

Partners.

Registered
proprietor.

Regulations
for hackney
carriages.

29. It shall be lawful for the Commissioners of Police of the Metropolis from time to time . . . to make regulations for enforcing order at the places at which metropolitan stage carriages shall call or ply for passengers, and for fixing the time during which each such carriage shall be allowed to remain at any such place ; and . . . every driver or conductor of a metropolitan stage carriage, who shall wilfully disregard or not conform himself to such regulations, shall for every such offence forfeit the sum of forty shillings.

Standings to
be in the
centre of
streets.

30. No standing shall be appointed for hackney carriages, either within the Metropolitan Police District or within the City of London, by virtue of this Act or of any other Act, except in the centre part of

the street, unless in the case of a street with houses only on one side of such street.

Other provisions relating to stands are contained in 13 & 14 Vict. c. 7, s. 4, *post*, p. 269, and in 32 & 33 Vict. c. 115, ss. 9, *post*, p. 279.

31. Nothing herein or in any other Act contained shall be deemed or construed to authorize any hackney carriage to stand or ply for hire opposite to the General Post Office in Saint Martins le Grand, London, or any part thereof.

Hackney carriages not to ply opposite General Post Office.

Plying for hire opposite the G.P.O. is prohibited by 8 Edw. 7, c. 48, s. 68.

32. [Lord Mayor and Aldermen to make regulations with respect to carriages, &c., in the city and the borough.]

33. Every driver of a hackney carriage who shall ply for hire elsewhere* than at some standing or place appointed for that purpose, or who by loitering or by any wilful misbehaviour shall cause any obstruction in or upon any public street, road, or place,

Penalty on drivers of hackney carriages, or drivers or conductors of metropolitan stage carriages, for loitering or causing any obstruction, or plying for hire by making any noise, &c.

and also every driver or conductor of any metropolitan stage carriage who by loitering or any wilful misbehaviour shall cause any obstruction in or upon any public street, road, or place,

or shall improperly delay such carriage on any journey, or wilfully deceive any person in respect to the route or destination thereof,

or who shall refuse to admit and carry at the lawful fare any passenger for whom there is room, and to whose admission no reasonable objection is made,

or who shall demand more than the legal fare for any passenger,

or who, for the purpose of taking up or setting down a passenger, or, except in case of accident or other unavoidable necessity, shall stop such carriage opposite to the end of any street, or upon any place where foot passengers usually cross the carriageway,

or who shall ply for hire or passengers by blowing a horn, or by using any other noisy instrument within the limits of the Metropolis as defined by [The London Hackney Carriage Act, 1831, 1 & 2 Will. 4, c. 22],

and every conductor of a metropolitan stage carriage who shall allow any person beside himself to ride upon the steps or in the place† provided for him,

and every driver of a hackney carriage, whether hired or unhired, allowing any person besides himself, not being the hirer or a person employed by such hirer, to ride on the driving box,

and every driver or conductor of any metropolitan stage carriage who shall smoke whilst acting in such capacity, after an objection taken by any person riding in or upon such carriage,

shall for every such offence forfeit the sum of twenty shillings.

For similar provisions, see 1 & 2 Will. 4, c. 22, ss. 50, 51, *ante*, p. 250; 2 & 3 Will. 4, c. 120, s. 47, *ante*, p. 239; 2 & 3 Vict. c. 47, s. 54 (6), *ante*, p. 23; 30 & 31 Vict. c. 134, ss. 8, 14, *ante*, pp. 29, 34; 32 & 33 Vict. c. 115, ss. 9, 10, *post*, p. 279.

* "Elsewhere" was held not to include an open unenclosed piece of private ground to which the public had access, but over which there was no public right of way. *Skinner v. Usher*, L.R. 7 Q.B. 423. See also p. 247.

The definition "within 3 miles measured from the General Post Office" in 1 & 2 Will. 4, c. 22, was repealed by 37 & 38 Vict. c. 35, s. 1 (S.L.R.), but the repeal was not to extend to include cases where any repealed provision was incorporated in another Act; it seems, therefore, to be still in force in this section.

A similar provision extending to the whole of the Metropolitan Police District is contained in 2 & 3 Vict. c. 47, s. 54 (14), *ante*, p. 24.

† In a tramway car this place is the end of the car between the covered compartment and the extreme end. *Odell v. Mee*, 36 J.P. 102.

Proprietors may be summoned to appear and to produce the driver or conductor.

35. When any complaint shall be made before any justice of the peace against the driver of any hackney carriage, or the driver or the conductor of any metropolitan stage carriage, for any offence committed by him against the provisions of this Act, or of the [London Hackney Carriage Act, 1831, 1 & 2 Will. 4, c. 22], or of any order or regulations made in pursuance of this Act, it shall be lawful for such justice, if he shall think proper, forthwith to summon the proprietor of such carriage to produce before him, or such other justice of the peace as shall be then present, the driver or conductor by whom such offence was committed, to answer such complaint; and in case such proprietor, after being duly summoned, shall fail to produce the driver or conductor, it shall be lawful for the justice of the peace before whom such driver or conductor should be produced (if he shall think fit) to proceed, in the absence of such driver or conductor, to hear and determine the case in the same manner as if he had been produced, and to adjudge payment by the proprietor of any penalty or sum of money and costs, in which the driver shall be convicted; and any sum of money which shall be so paid by the proprietor shall be recovered in a summary way from the driver or conductor by whose default such sum shall have been paid upon proof of payment thereof, pursuant to the order of the justice, and upon proof of service of the notice hereinafter mentioned:

In case of proprietors failing so to do.

Provided always, that if the justice of the peace shall deem it proper, it shall be lawful for him when such proprietor shall fail to produce his driver or conductor, without any satisfactory excuse to be allowed by such justice, to impose a fine of forty shillings upon such proprietor, and so from time to time as often as he shall be summoned in respect of such complaint until he shall produce his driver and conductor:

and every proprietor so summoned to produce his driver or conductor shall cause to be given to such driver or conductor, or to be left at the abode specified in his licence, or (if such licence shall expire after the offence committed and before the hearing of the complaint) at his usual place of abode, a written notice of the time and place when and where such driver or conductor shall be required to attend; and if such driver or conductor shall not attend according to such notice, it shall be lawful for a justice of the peace to issue a warrant for his apprehension, and if after such notice any driver or conductor shall, without a reasonable excuse to be allowed by the justice, neglect or refuse to attend at the time and place therein mentioned, or (having previously left the service of the proprietor so summoned as aforesaid) shall not at the time and place of his attendance produce his licence, he shall forfeit the sum of forty shillings, and so from time to time as often as he shall so neglect or refuse.

If the penalty is not paid by driver it may be levied on proprietor. 1 & 2 Will. 4, c. 22, ss. 27, 28, *ante*, p. 246. There is a provision similar to the above as regards offences against the Act for the protection of animals. (1 & 2 Geo. 5, c. 27).

Magistrates empowered to hear and determine complaints.

36. It shall be lawful for any magistrate specially appointed under the authority of the [London Hackney Carriage Act, 1831,] for the purpose of hearing and determining offences against the provisions of that Act, or for such other magistrate as shall be in attendance at the office appointed in that behalf, to hear and determine any complaint for any offence against the provisions of this Act, or of any Act now in force or hereafter to be in force, wheresoever the cause of complaint

may arise, within the City of London or the liberties thereof, or elsewhere within the limits of this Act, so far as the same shall relate to hackney carriages or to metropolitan stage carriages, . . . in like manner as if such provisions had been included in the aforesaid Act.

As to jurisdiction of police magistrates, see 1 & 2 Will. 4, c. 22, s. 62, *ante*, p. 252, and 16 & 17 Vict. c. 33, s. 18, *post*, p. 274.

37. Upon the hearing of any complaint made under the provisions of this Act or the [London Hackney Carriage Act, 1831,] or of the orders and regulations aforesaid, it shall be lawful for the justice of the peace by whom the same shall be heard to examine and take the evidence of the informant or complainant in any dispute concerning the amount of fare paid or demanded by either party, or in any dispute between the proprietor and driver or conductor of any hackney carriage or metropolitan stage carriage concerning the wages of such driver or conductor, or in any complaint of personal injury done to the complainant by the driver of any hackney carriage or metropolitan stage carriage, or in any case in which the informant or complainant shall be entitled to no pecuniary advantage besides his costs and expenses, or, being entitled to some compensation or pecuniary advantage, shall either give up all claim to the same, or shall not be the only witness in the case.

Evidence of complainant to be taken.

Persons interested were rendered capable of giving evidence in all cases by 6 & 7 Vict. c. 85, s. 1, and parties to proceedings by 14 & 15 Vict. c. 99, s. 2, and their wives or husbands by 16 & 17 Vict. c. 83.

38. All complaints under the provisions of the [London Hackney Carriage Act, 1831,] or of this Act, or of the orders and regulations made in pursuance of either of them, except such as shall be made by the direction of the Commissioners of Stamps and Taxes, and except in cases where some other term of limitation is specially provided by this Act, shall be made within seven days next after the day on which the cause of complaint shall have arisen.

Complaints to be made within seven days.

39. It shall be lawful for any justice of the peace to hear and determine all complaints under the provisions of this Act or of the [London Hackney Carriage Act, 1831,] and to adjudge the payment of any penalty or of any sum of money under either of the said Acts, or of the orders and regulations made pursuant to either of them, and to order payment of the same, with or without costs, either immediately or at such time and place, and by such instalments, as he shall think fit; and in case of non-payment of the sum so ordered to be paid, or of any one instalment thereof, to adjudge the party making default to be imprisoned in the common gaol or house of correction for any term not exceeding two calendar months, with or without hard labour, such imprisonment to cease on payment of the sum so adjudged or ordered to be paid, or to issue his warrant for the levying of any such sum of money, together with the costs and expenses of such warrant or of levying the same, on the goods of the party making default, and to cause sale to be made of such goods in case they shall not be redeemed within five days, rendering to the party the overplus (if any), and where goods of such party making default cannot be found sufficient to answer the penalty or sum ordered to be paid, and all such costs and expenses, to commit such party to prison, there to remain for any time not exceeding two calendar months, unless such penalty or sum of money, and all such costs and expenses, shall be sooner paid; and every such imprisonment shall be with or without hard labour as such justice shall

Penalties may be awarded to be paid by instalments. In case of non-payment the party may be imprisoned.

Proviso.

direct : Provided always, that no imprisonment for non-payment of any sum ordered to be paid on account of wages, or the earnings of any carriage, or of any deposit of money, shall be for a longer period than one calendar month, or with hard labour ; and all proceedings whatsoever before any justice of the peace under any of the provisions of this Act or the [London Hackney Carriage Act, 1831,] and the judgment of the said justice thereon, shall be final and conclusive between the parties, and shall not be quashed or vacated for want of form, and shall not be removed by certiorari, or any other writ or process, into any superior court.

See section 36 above ; and as to jurisdiction and procedure see 1 & 2 Will. 4, c 22, ss. 62, 63, *ante*, p. 252.

In what manner goods distrained under this Act shall be sold.

40. In all cases where any goods or chattels distrained or otherwise seized or taken under any of the provisions of this Act or the [London Hackney Carriage Act, 1831,] are directed to be sold, the same shall be sold by public auction, and notice of the time and place of such sale shall be given to the owner of such goods or chattels, or left at his usual place of abode, three days at least prior to such sale : Provided always, that if the owner of any such goods or chattels shall give his consent in writing to the sale thereof at an earlier period than is by this Act or shall be by any such notice appointed for such sale, or in any other manner than is by this Act directed, it shall be lawful to sell such goods or chattels according to such consent : Provided also, that if the owner of such goods or chattels shall, at any time before the sale thereof, pay or tender to the person who by any warrant or other process shall be directed or authorized to cause such goods or chattels to be sold the sum which he shall by such warrant or process be directed to levy or raise by the sale of such goods or chattels, together with all reasonable costs and expenses incurred, no sale of such goods or chattels shall be made.

See 42 & 43 Vict. c. 49, s. 43.

Service of summonses and other notices.

41. For the purpose of serving summonses and other notices required by this or the [London Hackney Carriage Act, 1831,] the usual place of abode of any driver, conductor, . . . or of any person who, having been licensed as a driver, conductor, . . . has neglected to return his metal ticket at the expiration of his licence, shall be deemed to be the place specified in the licence ; and that it shall be lawful for any justice of the peace in all cases, upon complaint being made in respect of any matter within the meaning of this or of the [London Hackney Carriage Act, 1831,] or of the orders and regulations made in pursuance thereof, to issue his summons to require the attendance of the person complained of before the said justice, or any other justice, at a time and place to be appointed for that purpose, or to issue a warrant for the apprehension of such person, either in the first instance, or after the issuing and service of such summons and the non-appearance of the party summoned ; and every summons or other notice required by this Act shall be deemed to be duly served, provided the same, or a copy thereof, shall be either personally served or left at the usual place of abode of the party to whom it shall be directed, or if he shall be a party licensed under this or the [London Hackney Carriage Act, 1831,] then at the place of abode specified in his licence.

As to service of summons and other proceedings, see 1 & 2 Will. 4, c. 22, s. 68, *ante*, p. 253 ; and 2 & 3 Vict. c. 71, ss. 19-21.

42. Every person summoned as a witness to give evidence touching any matter to be heard under this Act or the [London Hackney Carriage Act, 1831,] who shall neglect or refuse to appear at the time and place for that purpose appointed by any justice of the peace, without a reasonable excuse to be allowed by such justice, or who shall appear but refuse to be examined or give evidence, shall forfeit the sum of five pounds.

Penalty on witnesses refusing to attend or to give evidence.

The attendance of witnesses is enforced by 2 & 3 Vict. c. 71, s. 22, and by 11 & 12 Vict. c. 43, s. 7.

43. Every summons or warrant of distress which shall be had or taken against the proprietor of a hackney carriage or metropolitan stage carriage, for the default of the driver or conductor thereof, for the recovery of any penalty, compensation, or costs under the provisions of this Act, or such rules, orders, and regulations as aforesaid, may be drawn or made out according to the several forms contained in the schedule hereunto annexed, or to the effect thereof, with such changes as the case may require; and that every order, conviction, warrant, or other proceeding which shall be drawn, had, or issued under the provisions of this Act or of the [London Hackney Carriage Act, 1831,] or of such rules, orders, and regulations as aforesaid, shall be good and effectual without stating the facts in evidence, or more than the matter of offence in respect whereof such order, conviction, or other proceeding as aforesaid shall have been had, made, or issued.

Certain proceedings to be drawn up according to the forms in the schedule.

44. In every case where there shall be more than one proprietor of any hackney carriage or metropolitan stage carriage, it shall be sufficient, in any information, summons, order, conviction, warrant, or any other proceeding under the provisions of this Act or of the [London Hackney Carriage Act, 1831,] to name one of such proprietors without reference to any other or others of them, and to describe and proceed against him as if he were sole proprietor.

Providing for cases where there are more proprietors than one.

45. [Power to mitigate penalties.]

A general power to mitigate penalties is given by 2 & 3 Vict. c. 71, s. 35.

46. All penalties or sums of money ordered and adjudged within the Metropolitan Police District to be paid under this Act or the [London Hackney Carriage Act, 1831,] and not otherwise appropriated, shall be payable to Her Majesty, and all [penalties or sums of money within the City of London not otherwise appropriated, to be paid for the expenses of the police of the said city].

Appropriation of penalties.

See notes to section 71 of 1 & 2 Will. 4, c. 22, *ante*, p. 254.

SCHEDULE referred to in the foregoing Act.

No. 1.

Form of a summons to the proprietor of a Hackney Carriage or a Metropolitan Stage Carriage to produce the driver or conductor thereof to answer a complaint.

To *E.F.* of, &c., Proprietor of the Hackney Carriage, Number
[or the Metropolitan Stage Carriage, Number].

WHEREAS Complaint hath been made by *C.D.* against the Driver of the Hackney Carriage, Number [or the Driver or Conductor of the Metropolitan Stage Carriage, Number], on the Day of now last passed [or instant], charging that the said Driver [or Conductor], on the Day of now last passed [or instant], (of which said Carriage you were then the Proprietor,) at or about the Hour of did [here state the alleged Offence]: These are therefore to require you to produce the said Driver or Conductor before me, or such other Magistrate as shall be present, at on the Day of at of the Clock in the noon, then and there to answer the said Complaint.

Dated the Day of

(Signed)

One of the Police Magistrates of the Metropolis,

[or
One of Her Majesty's Justices of the Peace
for]

No. 2.

Form of a warrant of distress for levying upon the proprietor of a Hackney Carriage or Metropolitan Stage Carriage the penalty in which the driver or conductor thereof has been convicted.

To *A.B.* of, &c.
Metropolitan Police District } WHEREAS *C.D.*, the Driver of the Hackney Carriage
to wit. } Number [or the Driver or Conductor of the
the } Metropolitan Stage Carriage, Number], on
Day of was duly convicted of a certain
Offence, for that [here state the Offence], whereby he hath been adjudged to forfeit the Sum of over and above the Sum of for the Costs and Charges of the Informer, making together the Sum of which hath not been paid by the said Driver [or Conductor], nor by any Person on his Behalf; And whereas, according to the statute in that Behalf made, the said *E.F.*, the Proprietor of the said Carriage, hath been required to pay the said Sum of which he hath neglected and refused to do: Therefore I command you to levy the said Sum of by restraining the Goods and Chattels of the said *E.F.*, the said Proprietor; and if within the Space of Five Days next after such Distress taken the said Sum of together with the reasonable Costs and Charges of taking and keeping such Distress, shall not be paid, then I order and direct that you shall sell and dispose of the said Goods and Chattels which shall be so distrained, taken, and seized as aforesaid, and shall levy and raise thereout the said Sum of and all reasonable Costs and Charges of taking and keeping and selling such Distress, rendering the Overplus (if any) to the Owner of the said Goods and Chattels; and you are to certify to me what you shall have done by virtue of this my Warrant. Given under my Hand and Seal the Day of

(Signed)

One of the Police Magistrates of the Metropolis,

[or
One of Her Majesty's Justices of the Peace
for]

No. 3.

Form of warrant of commitment of the proprietor of a Hackney Carriage or Metropolitan Stage Carriage for want of a sufficient distress whereon to levy the penalty in which the driver or conductor of such carriage has been convicted.

To A.B. of, &c., and to the Keeper of the Common Gaol [or House of Correction] at
 Metropolitan Police District } WHEREAS, &c. [proceed as in the Form No. 2. to the
 to wit. } Words "which he hath neglected and refused to do,"
 inclusive]: And whereas it has been duly made to
 appear to me that no sufficient Distress of the Goods and Chattels of the
 said E.F., the said Proprietor, can be found whereon to levy the said Sum
 of : Therefore I command you the said A.B. to
 apprehend and take the said E.F., and safely to convey him to the
 Common Gaol [or House of Correction] at in the
 of and there to deliver him to the Keeper thereof, together
 with this Warrant. And I do hereby command you the said Keeper to
 receive into your Custody in the said Gaol [or House of Correction] him
 the said E.F., and him therein safely to keep for the Space of
 unless the said sum of shall be sooner paid.

Given under my Hand and Seal the Day of

(Signed)

One of the Police Magistrates of the Metropolis,

[or

One of Her Majesty's Justices of the Peace for]

THE LONDON HACKNEY CARRIAGE ACT, 1850.

(13 & 14 Vict. c. 7.)

2. [All jurisdiction, duties, powers, &c., vested in the office of Registrar of Metropolitan Public Carriages now abolished are transferred to and vested in the Commissioner of Police of Metropolis.]

Standings
may be
appointed
by Commis-
sioner.

4. It shall be lawful for the said Commissioners of Police from time to time to appoint standings for hackney carriages at such places as they shall think convenient in any street, thoroughfare, or place of public resort within the Metropolitan Police District, any law, statute, or custom to the contrary thereof notwithstanding, and at their discretion to alter the same, and from time to time to make regulations concerning the boundaries of the same, and the number of carriages to be allowed at any such standing, and the times at and during which they may stand and ply for hire at any such standing, and also from time to time to make such regulations as the said Commissioners shall deem proper for enforcing order at every such standing, and for removing any person who shall unnecessarily loiter or remain at or about any such standing; and the said Commissioners shall cause all the orders and regulations to be made by them as aforesaid to be advertised in the *London Gazette*, and a copy thereof signed by one of the said Commissioners, to be hung up for public inspection in the office of the Commissioners of Police in the City of Westminster, and at each of the police courts; and such copy shall be received in evidence in the said courts as if it were the original of which it purports to be a copy, and shall be taken to be a true copy of such original order or regulation, without further proof than the signature of the said Commissioner.

Similar powers are also conferred by 16 & 17 Vict. c. 33, s. 12, *post*, p. 272.

As to penalty for breach of Regulations see the case of *Willingale v. Norris*, noted, *post*, p. 274.

6. [Saving of Bloomsbury Square Act, 46 Geo. 3, c. cxxxiv, "for preventing hackney coaches standing or plying for hire in or near the said square."]

8. This Act shall be construed as one Act with the London Hackney Carriages Act, 1843 (6 & 7 Vict. c. 86), and all the provisions of the said Act, except so far as is herein otherwise provided, shall extend to this Act, and to all things done in execution of this Act.

Construction
of Act.

THE LONDON HACKNEY CARRIAGE ACT, 1853.

(16 & 17 Vict. c. 33.)

Commis-
sioners of
Police
may cause
carriages,
&c., to be in-
spected, and
if not in fit
condition
may suspend
licences.

2. It shall be lawful for the said Commissioners of Police to cause an inspection to be made, as often as they deem it necessary, of all metropolitan stage and hackney carriages, and of the horse or horses used in drawing the same, within the limits of this Act ; and if any such carriage, or the horse or horses used in drawing the same, shall at any time be in a condition unfit for public use, the said Commissioners shall give notice in writing accordingly to the proprietor thereof, which notice shall be personally served on such proprietor, or delivered at his usual place of residence ; and if, after notice as aforesaid, any proprietor shall use or let to hire such carriage as a metropolitan stage or hackney carriage, or use or let to hire such horse or horses whilst in a condition unfit for public use, the said Commissioners shall have power to suspend, for such time as they may deem proper, the licence of the proprietor of such carriage, . . .

For penalty for plying with an unfit hackney carriage or horse see section 17 (3), *post*, p. 273 ; see also ANIMALS in Metropolitan Police Guide and p. 53 hereof.

As to suspension and revocation of proprietor's licence see Order of Secretary of State, Appendix, p. 41.

Fares to
be taken for
hackney
carriages.

4. The proprietor or driver of any hackney carriage within the limits of this Act shall be entitled to demand and take for the hire of such carriage the fares set forth in the Schedule (A) to this Act annexed : . Provided always that when the proprietor or driver of any hackney carriage to be paid a fare calculated according to the distance shall be required by the hirer thereof to stop such carriage for fifteen minutes, or for any longer time it shall be lawful for the proprietor or driver to demand and receive from the hirer so requiring him to stop a further sum (above the fare to which he shall be entitled, calculated according to the distance) of sixpence for every fifteen minutes completed that he shall have been so stopped ; and no proprietor or driver shall demand or receive over and above the said fare any sum, for or by way of back fare, for the return of such carriage from the place at which such carriage shall be discharged.

No back fare
to be taken
or
demanded.

By section 1 of 7 Edw. 7, c. 55, s. 1, *post*, p. 281, fares under the Order of Secretary of State may now supersede those under particular statutes. For those fares see pp. 54, 55 of Appendix.

Driver to
produce
book of fares
when
required.

5. . . . The driver of every hackney carriage within the limits of this Act shall have with him at all times when plying for hire a book or table in such form as shall be directed by the said Commissioners of Police of the fares for the hire of such carriage, which book or table the driver shall produce when required for the information of any person hiring or intending to hire such carriage.

For fares now in force see Order of Secretary of State, Appendix, p. 54.

Disputes as
to distances.

6. In case of disputes as to the fare to be calculated according to the distance, any table or book signed by the said Commissioners of Police shall, on proof of such signature, be deemed and taken to be conclusive evidence of all the distances therein stated to have been measured by the authority of the said Commissioners of Police ; and it shall be lawful for the said Commissioners to cause to be placed or erected at the several standings for hackney carriages or elsewhere within the metropolitan district, as they may deem convenient, tables

of distances and fares, and such other information as may be useful to persons hiring such carriage.

For further provisions as to books or tables of distances see 32 & 33 Vict. c. 115, s. 9 (4), *post*, p. 279.

7. The driver of every hackney carriage which shall ply for hire at any place within the limits of this Act shall (unless such driver have a reasonable excuse, to be allowed by the justice before whom the matter shall be brought in question,) drive such hackney carriage to any place to which he shall be required by the hirer thereof to drive the same, not exceeding 6 miles from the place where the same shall have been hired, or for any time not exceeding one hour from the time when hired: Provided always, that when any hackney carriage shall have been hired by time, the driver thereof may be required to drive at any rate not exceeding 4 miles within one hour, and if the driver of such carriage shall be required to drive more than 4 miles within one hour, then in every such case the driver thereof shall be entitled to demand, in addition to the fare regulated by time in Schedule (A) to this Act annexed, for every mile or any part thereof exceeding 4 miles, the fare regulated by distance as set forth in the same schedule.

As to distance drivers of hackney carriages shall be required to drive.

See section 17 below (which seems to require the speed to be not less than 6 miles an hour or a reasonable speed when hired by time) and 32 & 33 Vict. c. 115, s. 9, *post*, p. 279.

The fares and extras under Order of Secretary of State, Appendix, p. 54, now take the place of Schedule A. 7 Edw. 7, c. 55, s. 1.

9. . . . The driver of any such hackney carriage shall, if required by the hirer thereof, carry in and by such carriage the number of persons painted or marked thereon, or any less number of persons.

Number of persons.

See Order of Secretary of State, Appendix, pp. 43 and 45.

10. The driver of every hackney carriage within the limits of this Act shall carry in or upon such carriage a reasonable quantity of luggage for every person hiring such carriage without any additional charge, except as provided in Schedule (A) to this Act annexed.

Luggage.

See note to section 7.

As to the liability of a hackney carriage proprietor for the loss of luggage arising from negligence of the driver, see *Ross v. Hill*, 2 C.B. 877; *Powles v. Hider*, [1856] 6 El. & Bl. 207, approved by the Court of Appeal in *Keen v. Henry*, [1894] 1 Q.B. 292. See note to section 28 of 6 & 7 Vict. c. 86 at p. 262.

See Order of Secretary of State, Appendix, pp. 45 and 54, as to payment for every extra package.

11. The driver of every hackney carriage within the limits of this Act wherein any property shall be left by any person shall within twenty-four hours carry such property, if not sooner claimed by the owner thereof, in the state in which he shall find the same, to the nearest police station, and shall there deposit and leave the same with the inspector or other officer on duty, upon pain that every such driver making any default herein shall be liable to a penalty not more than ten pounds, or at the discretion of the magistrate may be imprisoned for any time not exceeding one month; and the said officer with whom any such property shall be deposited shall forthwith enter in a book to be kept for that purpose the description of such property, and the name and address of the driver who shall bring the same, and the day on which it shall be brought; and the property so entered shall be returned to the person who shall prove, to the satisfaction of the Commissioners of Police, that the same belonged to him, such person previously paying all expenses incurred, together with such reasonable sum to the driver who brought the same as the said Commissioners shall award: Provided always, that if such property shall not be

Property left in hackney carriages to be deposited at the police office.

Penalty on driver for default.

Property not claimed to be disposed of.

Penalty on refusing or neglecting to give up property left in stage carriages.

claimed by and proved to belong to some person within one year after the same shall have been deposited, the said Commissioners shall cause such property to be sold or otherwise disposed of, and the proceeds thereof to be paid over to the Receiver-General of Inland Revenue, to be carried to the public account, all expenses incurred about such property, together with such reasonable sum to the driver who brought the same as the said Commissioners shall award, being first paid thereout; and all property left by any passenger in any metropolitan stage carriage shall be given up to the conductor of such carriage, or, if there be no conductor, to the driver, upon pain of a penalty of ten pounds, to be paid by any person refusing or neglecting to give up any such property belonging to another person; and the conductor or driver of every such carriage to whom any such property shall be given up, or who shall himself find it in the carriage, shall within twenty-four hours carry the property, if not sooner claimed by the owner thereof, in the state in which he shall find the same to the nearest police station, and shall there deposit and leave the same with the inspector or other officer on duty, upon pain that every such driver or conductor making default herein shall be liable to a penalty not more than ten pounds, or at the discretion of the magistrate may be imprisoned for any time not exceeding one month; and the property so deposited by any conductor or driver shall be dealt with in the same manner as property left in hackney carriages and deposited by the drivers of such carriages.

See Order of Secretary of State, Appendix, pp. 44 and 46.

Enforcement of order at hackney carriage stands, &c.

12. It shall be lawful for the said Commissioners of Police from time to time to appoint a sufficient number of fit men to enforce good order at the standings for hackney carriages, and at the places at which metropolitan stage carriages or hackney carriages shall call or ply for passengers, and at such places of public resort within the Metropolitan Police District as they may deem necessary; and the said Commissioners may from time to time make such orders and regulations as they shall deem expedient, subject to the approval of one of Her Majesty's Principal Secretaries of State given in writing relative to the duties to be performed by such persons and the place at which each shall act; provided that the said Commissioners shall not have authority to appoint any such person to act within or upon the premises belonging to any railway company unless with the consent of the directors of the company.

See 32 & 33 Vict. c. 115, s. 9 (2), *post*, p. 279.

Wages of persons employed at stands, and water rates.

13. The said Commissioners of Police, subject to the approbation of the Commissioners of Her Majesty's Treasury, shall appoint wages to be paid to the said persons appointed by them to keep good order at the standings for hackney carriages and at the places at which metropolitan stage carriages or hackney carriages shall call or ply for passengers, and at such places of public resort as they may deem necessary; and the said Commissioners shall also, in such cases as they think fit, direct the water rates and the expenses of the necessary apparatus for laying on the water at the standings for hackney carriages and at places where metropolitan stage carriages usually call or ply for hire to be paid.

Lamps to be placed inside metropolitan stage carriages.

14. The proprietor of every metropolitan stage carriage shall cause to be placed inside such carriage a lamp, in such a position and manner as shall be directed by the said Commissioners of Police, and the conductor, or if there be no conductor the driver, of such carriage shall keep the said lamp properly lighted whenever such carriage shall be

used to ply for hire or carry passengers at any time after sunset and before sunrise.

By the Order of Secretary of State, para. 32, Appendix, p. 44, a hackney carriage plying for hire must be provided with an outside lamp, properly trimmed and lighted, showing white to the front, between one hour after sunset and one hour before sunrise. See also Lights on Vehicles Act, p. 51, and note on p. 53.

15. It shall not be lawful for the proprietor of any metropolitan stage or hackney carriage to suffer any notice, advertisement, or printed bill, or any names, letters, or numbers, to appear upon the outside of any such carriage in such a manner as to obstruct the light or ventilation of such carriage, or on the inside of any such carriage in such position that any such notice, advertisement, or printed bill shall obstruct the light or ventilation of such carriage or cause annoyance to any passenger therein.

Printed bills, &c., obstructing light, &c.

See also Order of Secretary of State, para. 13, Appendix, p. 40.

16. It shall not be lawful for any person to carry about on any carriage or on horseback or on foot, in any thoroughfare or public place within the limits of this Act, to the obstruction or annoyance of the inhabitants or passengers, any picture, placard, notice, or advertisement, whether written, printed, or painted upon or posted or attached to any part of such carriage, or on any board, or otherwise.

Advertising vehicles, &c., prohibited.

See 30 & 31 Vict. c. 134, s. 9, p. 30.

17. The driver or conductor of any metropolitan stage carriage, or the driver of any hackney carriage, who shall respectively commit any of the following offences within the limits of this Act, shall be liable to a penalty not exceeding forty shillings for each offence, or in default of payment to imprisonment.

Drivers and conductors liable to penalties for overcharge herein named. Refusing to carry passengers or luggage.

(1) Every driver of a hackney carriage who shall demand or take more than the proper fare as set forth in Schedule (A) to this Act annexed, or who shall refuse to admit and carry in his carriage the number of persons painted or marked on such carriage or specified in the certificate granted by the said Commissioners of Police in respect of such carriage, or who shall refuse to carry by his carriage a reasonable quantity of luggage for any person hiring or intending to hire such carriage :

(2) Every driver of a hackney carriage who shall refuse to drive such carriage to any place within the limits of this Act, not exceeding 6 miles, to which he shall be required to drive any person hiring or intending to hire such carriage, or who shall refuse to drive any such carriage for any time not exceeding one hour, if so required by any person hiring or intending to hire such carriage, or who shall not drive the same at a reasonable and proper speed, not less than 6 miles an hour, except in case of unavoidable delay, or when required by the hirer thereof to drive at any slower pace :

Refusing to drive or be hired.

Speed.

(3) Every driver of a hackney carriage who shall ply for hire with any carriage or horse which shall be at the time unfit for public use

Unfit carriage or horse.

See note to section 35 of 1 & 2 Will. 4, c. 22, at p. 247.

For fares see Order of Secretary of State, Appendix, p. 54.

It will be observed that the only offences described in this section are offences committed by the driver of a hackney carriage.

As to speed when hired by time, see section 7 of this Act, which seems inconsistent with this section.

See also as to this section generally, 32 & 33 Vict. c. 115, s. 9, *post*, p. 279, and Order of Secretary of State, para. 38 *et seq.*, Appendix, p. 45.

Police magistrates or justices of the peace to hear and determine offences.

18. It shall be lawful for any one of the police magistrates at any of the metropolitan police courts to hear and determine all offences against the provisions of this Act, and also all disputes or causes of complaint that may arise out of the same; or if the offence, dispute, or cause of complaint shall be committed or occur in any place not comprised within the limits of a police court district, the same may be heard and determined by two justices of the peace for the county; or if the offence, dispute, or cause of complaint shall be committed or occur within the City of London, the same shall be heard and determined by one justice of the peace for the said City, or by a metropolitan police magistrate sitting at the police court in Bow Street; . . .

See also 6 & 7 Vict. c. 86, ss. 36, 39, *ante*, p. 264. The omitted end of this section was repealed by section 2 of the London Cab Act, 1896, which contains substituted provisions.

Penalty for offences against this Act.

19. For every offence against the provisions of this Act for which no special penalty is hereinbefore appointed, the offender shall be liable to a penalty not exceeding forty shillings, or in default of payment be imprisoned . . .

The effect of this section and section 21 is to make one code of the Hackney Carriage Acts, 1843, 1850, and 1853. This section therefore imposes a penalty of 40s. for a breach of the Commissioner's Regulations made under section 4 of the Act of 1850, *ante*, p. 269. Regulations made under an Act are part of the "provisions" of that Act within the meaning of section 21. *Willingale v. Norris*, 78 L.J. K.B. 69.

Powers of Commissioner.

Limits of Act.

20. All things herein authorized to be done by the said Commissioners of Police of the Metropolis shall be done by such one of the said Commissioners as one of Her Majesty's Principal Secretaries of State shall from time to time be pleased to appoint; and the words "the limits of this Act" shall include every part of the Metropolitan Police District and City of London.

Construction.

21. This Act shall be construed as one Act with the London Hackney Carriages Act, 1843 [6 & 7 Vict. c. 86], and the London Hackney Carriage Act, 1850 [13 & 14 Vict. c. 7], and all the provisions of the said Acts, except so far as is herein otherwise provided, shall extend to this Act, and to all things done in execution of this Act.

See note to section 19 above.

SCHEDULE referred to in the foregoing Act.

RATES and FARES to be paid for any HACKNEY CARRIAGE hired at any Place within the Limits of this Act.

SCHEDULE (A).

DESCRIPTION OF CARRIAGE.	FARE BY DISTANCE.		FARE BY TIME.	
	For any distance within and not exceeding one mile.	For any distance exceeding one mile.	For any time within and not exceeding one hour.	
With four or two wheels, drawn by one horse.	6d.	After the rate of sixpence for every mile, and for any part of a mile over and above any number of miles completed.	2s.	And for every hackney carriage drawn by two horses one-third above the rates and fares herein before mentioned.

The above fares to be paid according to distance or time, at the option of the hirer, to be expressed at the commencement of the hiring: if not otherwise expressed, the fare to be paid according to distance.

Provided, that no driver shall be compellable to hire his carriage for a fare to be paid according to time at any time after 8 o'clock in the evening and before 6 o'clock in the morning.

When more than two persons shall be carried inside any hackney carriage, one sum of 6*d.* is to be paid for the whole hiring in addition to the above fares. Two children under ten years of age to be counted as one adult person.

When more than two persons shall be carried inside any hackney carriage with more luggage than can be carried inside the carriage, a further sum of 2*d.* for every package carried outside the said carriage is to be paid by the hirer in addition to the above fares.

By section 9 (3) of the Metropolitan Public Carriage Act, 1869, *post*, p. 279, power is given to the Commissioner to fix fares subject to the minimum then in force; and by section 1 of the London Cab and Stage Carriage Act, 1907, *post*, p. 281, further powers are given as to fixing fares for cabs fitted with taximeters, which supersede existing statutory fares. For lists of fares see Order of Secretary of State, Appendix, p. 54.

One child under ten in addition to two other persons must be paid for as an adult. *Norton v. Jones*, 8 L.T. 241; 11 W.R. 573.

An infant in arms does not count either under this Schedule or Schedule K of the Order of Secretary of State of 1907. *Kemp v. Lubbock*, 83 J.P. 270; 17 L.G.R. 720; 36 T.L.R. 21; [1920] 1 K.B. 234. Infant.

THE LONDON HACKNEY CARRIAGE (No. 2) ACT, 1853.

(16 & 17 Vict. c. 127.)

There are no provisions as to procedure under this Act; the repealed section 18 contained a limitation as to persons who might lay informations or prosecute under it; it is submitted that jurisdiction is impliedly given to justices, in which case proceedings would be under 11 & 12 Vict. c. 43, see *Cullen v. Trimble*, L.R. 7 Q.B. 416; 41 L.J. M.C. 132; 36 J.P. 132.

Where the fares fixed by the Order of Secretary of State, Appendix, p. 54, differ from those here enacted, that Order supersedes these provisions.

13. It shall be lawful for the driver of any hackney carriage within the limits of this Act to charge one shilling per mile for every mile (or part of a mile) which he shall be required to drive beyond the circumference of a circle the radius of which shall be 4 miles from Charing Cross, provided such carriage shall be discharged beyond such circumference, anything contained in the London Hackney Carriage Act, 1853 [16 & 17 Vict. c. 33], or in the schedule thereto, notwithstanding.

Four-mile circle.

This does not apply to cabs fitted with taximeters, for which see 7 Edw. 7, c. 55, *post*, p. 281.

For fares see Order of Secretary of State, Appendix, p. 54.

See now 32 & 33 Vict. c. 115, s. 9 (3), *post*, p. 279.

14. Whenever more than two persons shall be conveyed by any hackney carriage drawn by one horse only, a sum of sixpence for each person above the number of two shall be paid for the whole hiring in addition to the fare now directed to be paid for two persons under the London Hackney Carriage Act, 1853 [16 & 17 Vict. c. 33], and two children under ten years old shall be considered as one adult person for the purposes of this clause.

Additional 6*d.* for each person above two.

One child under ten in addition to two other persons over that age must be paid for as an adult. *Norton v. Jones*, 8 L.T. 241; 11 W.R. 573. See note to Schedule A of 16 & 17 Vict. c. 33, *supra*.

An infant in arms is not a child to be reckoned as a person for the purpose of extra payment under Schedule K of the Order of Secretary of State, 1907. *Kemp v. Lubbock*, [1920] 1 K.B. 234.

See 32 & 33 Vict. c. 115, s. 9, *post*, p. 279, and Order of Secretary of State, Schedule I, Appendix.

Extra time.

15. When any hackney carriage within the limits of this Act hired for a fare to be paid according to time shall be hired or used by the hirer thereof for any longer time than one hour, sixpence shall be paid for every fifteen minutes, or any portion of fifteen minutes not completed, above one hour.

Withdrawing carriages from hire beyond a certain time liable to a penalty.

16. The proprietor of every hackney carriage or metropolitan stage carriage licensed to ply for hire within the limits of this Act who shall withdraw his carriage from hire for two consecutive days, or for any two days in one week, without just cause, of which the magistrate before whom the complaint is heard shall be the judge, shall be liable to a penalty of a sum not exceeding twenty shillings in respect of every carriage for each day he shall so withdraw the same, and the licence of such proprietor shall be suspended or recalled and taken away at the discretion of the said Commissioners of Police: Provided always, that it shall be lawful for such proprietor, upon giving ten days' notice to the Commissioners of Police, to withdraw his carriage from hire.

See 32 & 33 Vict. c. 115, ss. 6, 15, *post*, pp. 277, 280.

Limits of Act.

Application of former Acts.

17. The limits of this Act shall be deemed to be and to include every part of the Metropolitan Police District and the City of London; and all provisions of any former Act in force referring to hackney carriages licensed under the London Hackney Carriage Act, 1831 [1 & 2 Will. 4, c. 22], or to hackney carriages kept, used, employed or let to hire within the distance of 5 miles from the General Post Office in the City of London, or to any act, matter, or thing committed or done in relation to such hackney carriages within the said distance, shall be deemed to refer and apply to hackney carriages licensed under this Act, or to hackney carriages kept, used, employed, or let to hire within the limits of this Act, and to any act, matter, or thing committed or done in relation to hackney carriages within the said limits.

See now 32 & 33 Vict. c. 115, s. 2, below.

THE METROPOLITAN PUBLIC CARRIAGE ACT, 1869.

(32 & 33 Vict. c. 115.)

Limits of Act.

2. The limits of this Act shall be the Metropolitan Police District, and the City of London and the liberties thereof.

Definitions of "stage carriage."

4. In this Act "stage carriage" shall mean any carriage for the conveyance of passengers which plies for hire in any public street, road, or place within the limits of this Act, and in which the passengers or any of them are charged to pay separate and distinct or at the rate of separate and distinct fares for their respective places or seats therein.

and "hackney carriage."

"Hackney carriage" shall mean any carriage for the conveyance of passengers which plies for hire within the limits of this Act, and is not a stage carriage.

Meaning of "prescribed."

"Prescribed" shall mean "prescribed by order of one of Her Majesty's Principal Secretaries of State."

The definition of hackney carriage is very wide; owners of unlicensed donkey and goat carriages plying for hire have been fined under this Act. See note to section 4 and section 35 of 1 & 2 Will. 4, c. 22, at p. 246.

Plying for hire.

A carriage attending at a railway station to await the arrival of trains for the conveyance of any passenger who chooses to hire it, is plying for hire within the meaning of section 7 below. *Clarke v. Stanford*, L.R. 6 Q.B. 357; 35 J.P. 662; 40 L.J. M.C. 151; *Allen v. Tunbridge*, L.R. 6 C.P. 481; 35 J.P. 695; 40 L.J. M.C. 197. It is plying for hire even although the carriage

stands on a particular strip of ground of which the carriage proprietor has the exclusive use at a rent paid to the company and the contract of hiring takes place at the proprietor's office at the station. *Foinett v. Clark*, 41 J.P. 359. See also *Baleson v. Oddy*, 22 W.R. 703; 43 L.J. M.C. 131; 30 L.T. 712. *Birmingham Motor Omnibus Co. v. Thompson*, [1918] 2 K.B. 105; 119 L.T. 140; 87 L.J. K.B. 915, see p. 66.

A company advertised for passengers for a trip to Brighton and agents in London issued tickets to applicants for the trip. The company hired a vehicle to accommodate the applicants, who on the appointed day were picked up at the points convenient to them. In these circumstances it was held that there had been no plying for hire by an unlicensed carriage within section 7, *infra*, and the vehicle was neither a hackney carriage nor a stage carriage within the above definition or para. 17 of the Order of Secretary of State, see p. 42, Appendix. *Sales v. Lake*, [1922] 1 K.B. 553; 38 T.L.R. 336.

In this case Lord Trevethin, C.J., stated that a carriage only plies for hire if (1) there is a soliciting for passengers by the person in control without previous contract with them; (2) the person in control who solicits has a carriage appropriated to the journey.

It may be here mentioned that the driver of a hackney or stage carriage plying for hire at a railway station, without permission of the company, and refusing to quit on request made by their officer or agent, is a wilful trespasser within 3 & 4 Vict. c. 97, s. 16. *Foulger v. Steadman*, L.R. 8 Q.B. 65; *Hole v. Digby*, 27 W.R. 884.

5. A "stage carriage" which on every journey goes to or comes from some town or place beyond the limits of this Act shall not be deemed to be a carriage plying within the limits of this Act.

Exemption of certain carriages from operations of Act.

This section gives a misleading impression, inasmuch as:—

A Secretary of State may apply by order any of the provisions of the London Acts to carriages, or any class of carriages which come within the above exception, 7 Edw. 7, c. 55, s. 3, *post*, p. 282. Para. 17 of Order of Secretary of State, *post*, p. 42, applies the London Acts and Orders to these vehicles. A cab or stage carriage plying for hire partly within and partly without London will need a licence from the Commissioner, and a further licence under 10 & 11 Vict. c. 89, s. 46, *q.v.* at p. 67. *R. v. Fletcher, ex parte Ansonia*, 98 L.T. 749; 72 J.P. 249.

Licensing Hackney and Stage Carriages.

6. One of Her Majesty's Principal Secretaries of State may from time to time licence to ply for hire within the limits of this Act hackney and stage carriages, to be distinguished in such manner as he may by order prescribe.

Grant of hackney and stage carriage licences.

Any licence in respect of a hackney or stage carriage under this section may be granted at such price, on such conditions, be in such form, be subject to revision or suspension in such events, and generally be dealt with in such manner as the said Secretary of State may by order prescribe, subject as follows:—

- (1) That a hackney or stage carriage licence shall, if not revoked or suspended, be in force for one year [*remainder of section repealed by section 14 of Roads Act (p. 215)*].
- (2) That in any such order, provision shall be made for the transfer of a hackney or stage carriage licence to the widow or to any child of full age of any person to whom a hackney or stage carriage licence has been granted who may die during the continuance of such licence leaving a widow or child of full age, and also for the transfer of a hackney or stage carriage licence to the husband of any woman to whom such licence has been granted and who marries during the continuance thereof.

Refusal to
licence.

The Commissioner of Police has no discretion to refuse a licence except in those cases in which a discretion is expressly given by the Order of Secretary of State. *R. v. Commissioner of Police, ex parte Holloway*, [1911] 2 K.B. 1131.

He cannot refuse on the ground that the applicant is the owner under a hire purchase agreement only. *R. v. Commissioner of Police, ex parte Randall*, 27 T.L.R. 505.

Nevertheless, the Commissioner has power under the Order of Secretary of State, para. 20, to impose reasonable requirements to the licence, e.g., that the driver shall attend in person upon application. See *Banton v. Davies*, 56 J.P. 294; 66 L.T. 192 (decided under similar provisions of the Towns Police Clauses Act).

In the case of omnibuses the Roads Act, 1920, s. 14 (3), see p. 215, provides that an appeal shall lie from the decision of the Commissioner refusing a licence or imposing conditions thereto, to the Minister of Transport.

Use of
unlicensed
carriage.

Penalty.

7. If any unlicensed hackney or stage carriage plies for hire the owner of such carriage shall be liable to a penalty not exceeding five pounds for every day during which such unlicensed carriage plies. And if any unlicensed hackney carriage is found on any stand within the limits of this Act, the owner of such carriage shall be liable to a penalty not exceeding five pounds for each time it is so found. The driver also shall in every such case be liable to a like penalty unless he proves that he was ignorant of the fact of the carriage being an unlicensed carriage.

Any hackney or stage carriage plying for hire, and any hackney carriage found on any stand without having such distinguishing mark, or being otherwise distinguished in such manner as may for the time being be prescribed by the said Secretary of State, shall be deemed to be an unlicensed carriage.

As to plying for hire, see notes to section 4 above and p. 248, *ante*.

As to word *owner* used in this section and the difference between *owner* and *proprietor*, see *Kemp v. Elisha*, [1918] 1 K.B. 228; 118 L.T. 246; 87 L.J. K.B. 428. See also note to section 28 of 6 & 7 Vict. c. 86, at p. 262, *ante*.

Licensing Drivers of Hackney and Stage Carriages.

Hackney
carriages to
be driven by
licensed
drivers, and
stage
carriages
to have
licensed
drivers and
conductors.

8. No hackney carriage shall ply for hire within the limits of this Act unless under the charge of a driver having a licence from the said Secretary of State, and no stage carriage shall ply for hire within the limits of this Act unless the conductor and driver of such carriage have respectively licences from the said Secretary of State. If any hackney or stage carriage plies for hire in contravention of this section, the person driving the same, and also the owner of such carriage, unless he proves, in the case of a hackney carriage, that the driver, and in the case of a stage carriage, that the conductor or driver, as the case may require, acted without his privity or consent, shall respectively be liable to a penalty not exceeding forty shillings.

A licence to the driver or conductor of a hackney or stage carriage may be granted at such price, on such conditions, be in such form, be subject to revocation or suspension in such events, and generally be dealt with in such manner as the said Secretary of State may by order prescribe, subject to this provision, that any such licence shall, if not revoked or suspended, be in force for one year, and there shall be paid in respect thereof to the Receiver of the Metropolitan Police, to be carried to the account of the Metropolitan Police Fund, such sum not exceeding five shillings as the said Secretary of State may prescribe. This clause shall not repeal the 10th section of the London Hackney Carriages Act, 1843 [6 & 7 Vict. c. 86].

As to plying for hire, see notes to section 4 above and section 4 and section 35 of 1 & 2 Will. 4, c. 22, at pp. 246, 247, *ante*.

Regulations relating to Hackney and Stage Carriages.

9. The said Secretary of State may from time to time by order make regulations for all or any of the following purposes ; that is to say,

Regulations as to hackney and stage carriages. Persons.

(1) For regulating the number of persons to be carried in any hackney or stage carriage, and in what manner such number is to be shown on such carriage, and how such hackney carriages are to be furnished or fitted :

(2) For fixing the stands of hackney carriages, and the distances to which they may be compelled to take passengers, and the persons to attend at such stands :

Fixing stands.

By 13 & 14 Vict. c. 7, s. 6, no standing may be established in Bloomsbury Square. See also section 4 of that Act, and 6 & 7 Vict. c. 86, ss. 29 and 33, and 16 & 17 Vict. c. 33, s. 12.

(3) For fixing the rates or fares, as well for time as distance, to be paid for hackney carriages, and for securing the due publication of such fares ; provided that it shall not be made compulsory on the driver of any hackney carriage to take passengers at a less fare than the fare payable at the time of the passing of this Act :

Fares, &c.

For the fares payable at the time of the passing of this Act see 16 & 17 Vict. ss. 33 and 127.

(4) For forming, in the case of hackney carriages, a table of distances, as evidence for the purpose of any fare to be charged by distance, by the preparation of a book, map, or plan, or any combination of a book, map, or plan :

Distance table.

(5) For securing the safe custody and re-delivery of any property accidentally left in hackney or stage carriages, and fixing the charges to be paid in respect thereof, with power to cause such property to be sold or to be given to the finder in the event of its not being claimed within a certain time :

Lost property. O. of S. of S., paras. 30, 31, 44.

Subject to the following restrictions :—

(1) In fixing the stands for hackney carriages within the City of London and the liberties thereof the consent of the court of the Lord Mayor and aldermen shall be required to any stand appointed by the Secretary of State :

City.

(2) No hackney carriage shall be compelled to take any passenger a greater distance for any one drive than 6 miles :

Greatest distance.

(3) During such portion of time between sunset and sunrise as is from time to time prescribed, no driver shall ply for hire unless the hackney carriage under his charge be provided with a lamp properly trimmed and lighted, and fixed outside the carriage in such manner as is prescribed.

Lamp.

The Order of Secretary of State, para. 32, also deals with the lighting of carriages (Appendix, p. 44) ; as to stage carriages, see also 16 & 17 Vict. c. 33, s. 14, *ante*, p. 272. See also generally pp. 51 and 53.

This clause shall not repeal section 13 of the Railway Passenger Duty Act, 1842 [5 & 6 Vict. c. 79], so far as regards existing carriages or any which may be built within one year after the passing of this Act.

10. Where the Secretary of State is authorized to make any order under this Act, he may annex a penalty not exceeding forty shillings for the breach of such order or of any part or parts thereof, or of any regulation or regulations thereby made ; and any penalties under this

Penalties for breach of regulations.

section shall be deemed to be penalties under this Act, and may be enforced accordingly.

Licences by whom to be granted.

11. Any licence grantable by a Secretary of State under this Act may, if the said Secretary of State so direct, be granted by the Commissioner of the Metropolitan Police, or by such other person as the said Secretary of State appoints for the purpose.

Powers to carry Act into execution.

12. The said Secretary of State may appoint such officers and constables of the Metropolitan Police Force, and for the City of London of the City Police, as he thinks fit to perform any duties required to be performed for the purposes of carrying this Act into execution, and may award such sums by way of compensation for their services out of the moneys raised under this Act as he may think just.

Legal Proceedings and Miscellaneous.

Recovery of penalties.
"Justice."

13. All penalties under this Act may be recovered [by the Summary Jurisdiction Acts]; and the term "justice" or "justice of the peace" shall include any metropolitan police magistrate sitting alone at a police court or other appointed place, and the Lord Mayor of the City of London or any alderman of the said City sitting alone or with others at the Mansion House or Guildhall.

As to penalties recovered before a police magistrate, see 2 & 3 Vict. c. 71 s. 47.

Where an offence is committed by a driver or conductor, he must be summoned, for under this Act there is no power to call on the proprietor of the carriage to produce such offender.

Placards, &c., may be affixed to lamp-post.

14. The Commissioner of the Metropolitan Police may cause to be attached to any lamp-post any placard or signal for the purpose of carrying into effect the provisions of this Act.

Extended to posts of the tramways of London C.C. by 9 Edw. 7, c. lxxv, s. 60, *post*, p. 301.

Existing Acts to continue in force.

15. All the provisions of the Acts relating to hackney carriages and metropolitan stage carriages in force at the time of the commencement of this Act shall, subject to any alteration made therein by this Act or by any order or regulation of the said Secretary of State made in pursuance of this Act, continue in force, and all such provisions of the said Acts as relate to licences granted under those Acts, or any of them, shall, subject to any alteration as aforesaid, apply to licences granted under this Act.

THE LONDON CAB ACT, 1896.

(59 & 60 Vict. c. 27.)

Penalties for defrauding cabmen.

1. If any person commits any of the following offences with respect to a cab, namely:—

- (a) hires a cab, knowing or having reason to believe that he cannot pay the lawful fare, or with intent to avoid payment of the lawful fare; or
- (b) fraudulently endeavours to avoid payment of a fare lawfully due from him; or
- (c) having failed or refused to pay a fare lawfully due from him, either refuses to give to the driver an address at which he can be found, or, with intent to deceive, gives a false address,

he shall be liable on summary conviction to pay, in addition to the lawful fare, a fine not exceeding forty shillings, or, in the discretion of

the court, to be imprisoned for a term not exceeding fourteen days, and the whole or any part of any fine imposed may be applied in compensation to the driver.

2. [Repeal of part of 16 & 17 Vict. c. 33, s. 18.]

3. In this Act the expression "cab" shall mean any hackney carriage within, the meaning of the Metropolitan Public Carriage Act, 1869 [32 & 33 Vict. c. 115].

Meaning of cab.

THE LONDON CAB AND STAGE CARRIAGE ACT, 1907.

(7 Edw. 7, c. 55.)

1.—(1) The Secretary of State shall have power by regulations made under section 9 of the Metropolitan Public Carriage Act, 1869 [32 & 33 Vict. c. 115], to fix the fares to be paid for the hire in London of cabs fitted with taximeters, either on the basis of time or distance or both, and so as to differ for different classes of cabs and under different circumstances. Provided that the fare fixed for horse cabs fitted with taximeters shall not be less than at the rate of sixpence for every mile so far as the fare is fixed on the basis of distance, and of sixpence for every twelve minutes so far as the fare is fixed on the basis of time, and that no fare shall be less than sixpence.

Fares for taximeter cabs.

(2) Regulations made under this section, so far as inconsistent with any enactment relating to the fare to be paid for the hire of cabs in London, shall take effect notwithstanding that enactment, and any enactments relating to cabs in London shall, as respects cabs for which fares are fixed under this Act, be construed as if a reference to the fares so fixed were substituted for a reference to the fares fixed under any of those enactments.

2.—(1) In the admission of cabs to a railway station, or in the treatment of cabs while in a railway station, the company having the control of the station shall not show any preference to any cab, or give any cab a privilege, which is not given to other cabs; and where any charge is made in respect of the admission of any cab to a railway station for the purpose of plying for hire therein, the charge made shall not exceed such sum as may be allowed by the Secretary of State.

Abolition of privileged cab system.

(2) If it is proved to the satisfaction of the Secretary of State that it will not be possible to obtain a sufficient supply of cabs at a railway station for the proper accommodation of the public, unless the operation of this section is suspended or modified as respects that station, the Secretary of State may by order so modify or suspend the operation of this section with respect to that station, subject to such conditions as may be specified in the order.

(3) In this section the expression "railway station" includes the precincts thereof and the approaches thereto.

(4) Nothing in this section shall affect the liability of cabs or the drivers thereof to comply with any regulations or conditions which may be made by the company having control of a railway station for the purpose of maintaining order or dealing with the traffic at such station, including regulations as to—

- (i) the number of cabs to be admitted at any one time;
- (ii) the rejection of cabs and drivers unfit for admission; and
- (iii) the expulsion of any cabman who has been guilty of misconduct, or of a breach of the company's bye-laws or regulations.

(5) This section shall come into operation on the 1st January, 1908, and shall remain in force up to the 1st January, 1910.

This section has been continued by the Expiring Laws Continuance Acts. Many orders have been made by the Secretary of State under this section. The effects of these is given at p. 22 of Appendix.

Stage carriages plying partly within and partly without London.

3. The Secretary of State may by general or special order apply to stage carriages which on every journey go to or come from some town or place beyond London, or any class of such stage carriages, any provisions of the Acts relating to stage carriages in London, from which those stage carriages are exempted by virtue of section 2 of the London Hackney Carriages Act, 1843 [6 & 7 Vict. c. 86], or section 5 of the Metropolitan Public Carriage Act, 1869 [32 & 33 Vict. c. 115], subject to any exceptions contained in the order.

See Order of Secretary of State, para. 17, Appendix, p. 42, and see note to section 5 of 32 & 33 Vict. c. 115, at p. 277.

Stopping places for stage carriages.

4. The Commissioner of Metropolitan Police, and as respects the City of London the Commissioner of City Police, may give directions with respect to the stopping-places for stage carriages in London, and if the driver or conductor of any stage carriage acts in contravention of any direction so given, he shall be liable in respect of each offence on summary conviction to a penalty not exceeding forty shillings.

As to power of the London County Council to prescribe stopping places for electric trams, see 9 Edw. 7, c. lxxv, ss. 51, 61, *post*, p. 301.

Application of statutory provisions to carriages used on light railways running in streets.

5. Section 48 of the Tramways Act, 1870 [33 & 34 Vict. c. 78] (which applies to tramways certain of the enactments relating to hackney carriages in London), and any enactments relating to stage carriages or metropolitan stage carriages in London, shall apply in the case of carriages used on any street or road in London by virtue of an order made under the Light Railways Act, 1896 [59 & 60 Vict. c. 48], in the same manner as they apply in the case of carriages used on a tramway.

Definitions.

6.—(1) In this Act the expression “stage carriage” has the same meaning as in the Metropolitan Public Carriage Act, 1869 [32 & 33 Vict. c. 115], as amended by this Act, the expression “cab” has the same meaning as the expression “hackney carriage” has in that Act, the expression “fare” includes any payment to be made for the carriage of luggage on a cab, and any other payment to be made in respect of the hire of a cab, and the expression “taximeter” means any appliance for measuring the time or distance for which a cab is used or for measuring both time and distance which is for the time being approved for the purpose by or on behalf of the Secretary of State.

(2) It is hereby declared that for the purposes of any Act relating to hackney carriages, stage carriages, metropolitan stage carriages, or cabs, in London, the expressions “hackney carriage,” “stage carriage,” “metropolitan stage carriage,” or “cab” include any such vehicle, whether drawn or propelled by animal or mechanical power, and section 7 of the London Hackney Carriage Act, 1833 [3 & 4 Will. 4, c. 48], is hereby repealed.

(3) In this Act the expression “London” means the Metropolitan Police District and the City of London.

The Order of the Secretary of State under 32 & 33 Vict. c. 115 is given in the Appendix, p. 38.

CHAPTER VIII.

TRAMCARS.

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TRAMWAYS.

The Tramways Act, 1870, contains no definition of a tramway or a tramcar.

(Light railways, which are governed by the Light Railways Act of 1896 [59 & 60 Vict. c. 48], are also not defined.)

Tramcars (and by 7 Edw. 7, c. 55, certain light railway cars) are stage carriages within the London Public Carriage Acts, and are subject to this Act and to the law affecting stage carriages in the Metropolis. See sections 34 and 48 of this Act.

Where the London Public Carriage Acts and the Tramways Act are in conflict, the latter Act decides the matter. *Cousins v. Stockbridge*, [1866] 30 J.P. 166.

Tramcars are referred to as "carriage" throughout the Tramways Act, 1870.

It is submitted that tramcars are carriages within the Highway Acts and the Town Police Clauses Acts; on this point see the note on p. 290.

Tramcars in the Metropolitan Police District are subject to—

- (a) Private Acts affecting particular tramways;
- (b) Tramways Act, 1870;
- (c) Bye-laws and regulations made under sections 46 and 48 of the Tramways Act, 1870, and under the private Acts and regulations of the *Ministry of Transport* as to the use of power, &c., referring to particular tramways;
- (d) London Public Carriage Acts.

For collected extracts from private Acts, see p. 300, and for bye-laws, regulations, and orders, see p. 308.

All tramways were constructed under private Acts, and from time to time additional private Acts have been passed further providing for the operation and extension of the tramway undertakings. These private Acts are in the main concerned with financial provisions and provisions giving the companies powers to break up streets and do other things necessary for the operation of the tramways. There are, however, some matters dealt with in the private Acts which concern traffic, notably :—

- Provisions that tramway lines should be on a level with the road ;
- Rates of fares and tolls and recovery of fares ;
- Remedies for non-payment of fares ;
- Special fares for working classes ;
- Carriage of goods and luggage (a tramway is not usually bound to carry luggage) ;
- Lists of fares to be exhibited in the carriages ;
- Carriage of mails ;
- Penalty for bringing dangerous goods onto tramways ;
- Power of police to regulate traffic as well on as off the tramway ;
- Reservation of public rights in the road.

Certain sections of private Acts are set forth on p. 300 as being sections likely to concern the police and general traffic, but the private Acts are too voluminous to be set forth in detail. A list of such Acts is given on p. 293.

It should be remembered that many of the undertakings have changed hands, and a particular tramway may not now be operated by the company which constructed it.

All the tramways in the County of London are, with unimportant exceptions, operated now by the London County Council. The remaining two largest authorities are the London United Tramways and the Metropolitan Electric Tramways.

In the list of private Acts printed on p. 293, the more important Acts affecting the London United Tramways Company are marked L.U.T. ; the Metropolitan Electric Tramways Company, M.E.T. ; and the South Metropolitan Electric Tramways and Lighting Company, S.M.E.T. & L.

For excise duties on tramcars, see p. 205.

THE TRAMWAYS ACT, 1870.

(33 & 34 Vict. c. 78.)

Interpreta-
tion of
terms.

3. For the purposes of this Act the terms hereinafter mentioned shall have the meanings hereinafter assigned to them ; that is to say

The terms " local authority " and " local rate " shall mean respectively the bodies of persons and rate named in the table in Part 1 of the Schedule (A) to this Act annexed :

The term " road " shall mean any carriageway being a public highway, and the carriageway of any bridge forming part of or leading to the same :

The term " road authority " shall mean, in the districts specified in the table in Part 2 of the Schedule (A) to this Act annexed,

the bodies of persons named in the same table, and elsewhere any local authority, board, town council, body corporate, commissioners, trustees, vestry, or other body or persons in whom a road as defined by this Act is vested, or who have the power to maintain or repair such road :

The term " district," in relation to a local authority or road authority, shall mean the area within the jurisdiction of such local authority or road authority :

The term " prescribed " shall mean prescribed by any rules made in pursuance of this Act :

The term " two justices " shall, in addition to its ordinary signification, mean one stipendiary or police magistrate acting in any police court for the district.

PART I.

9. Every tramway in a town which is hereafter authorized by Provisional Order shall be constructed and maintained as nearly as may be in the middle of the road ; and no tramway shall be authorized by any Provisional Order to be so laid that for a distance of 30 feet or upwards a less space than 9 feet and 6 inches shall intervene between the outside of the footpath on either side of the road and the nearest rail of the tramway if one-third of the owners or one-third of the occupiers of the houses, shops, or warehouses abutting upon the part of the road where such less space shall intervene as aforesaid shall in the prescribed manner and at the prescribed time express their dissent from any tramway being so laid.

Regulations as to construction of tramways in towns.

10. Every such Provisional Order shall specify the nature of the traffic for which such tramway is to be used, and the tolls and charges which may be demanded and taken by the promoters in respect of the same, and shall contain such regulations relating to such traffic and such tolls and charges as the *Ministry of Transport* shall deem necessary and proper.

Nature of traffic on tramway and tolls to be specified in Provisional Order.

PART II.

Construction of Tramways.

23. In Part II and Part III of this Act, the term " special Act " shall be construed to mean any Act of Parliament which shall be hereafter passed or any Provisional Order authorizing the construction of a tramway, and with which the said parts of this Act shall be incorporated as aforesaid.

" Special Act."

24. The term " the promoters " shall mean any person, persons, corporation, company, or local authority authorized by special Act to construct a tramway.

" Promoters."

25. Every tramway which is hereafter authorized by special Act shall be constructed on such gauge as may be prescribed by such special Act, and if no gauge is thereby prescribed, on such gauge as will admit of the use upon such tramways of carriages constructed for use upon railways of a gauge of 4 feet 8½ inches, and shall be laid and maintained in such manner that the uppermost surface of the rail shall be on a level with the surface of the road, and shall not be opened for public traffic until the same has been inspected and certified to be fit for such traffic, in the prescribed manner.

Mode of formation of tramways.

Power to
break up
streets, &c.

26. [The promoters, for the purpose of making and maintaining any tramway, may open and break up any road, subject to the following regulations :—

- (1) They shall give to the road authority notice of their intention :
- (2) They shall not open any road, except under the superintendence of the road authority :
- (3) They shall pay all reasonable expenses :
- (4) They shall not, without the consent of the road authority, open or break up at any one time a greater length than 100 yards of any road.]

Completion
of work and
reinstatement
of
road.

27. [When the promoters have opened or broken up any portion of any road—

- (1) They shall, with all convenient speed, and in all cases within four weeks at the most complete the work :
- (2) They shall in the meantime cause the place where the road is opened or broken up to be fenced and watched, and to be properly lighted at night.

If the promoters aforesaid fail to comply in any respect with the provisions of the present section, they shall for every such offence be liable to a penalty not exceeding twenty pounds, and to a further penalty not exceeding five pounds for each day during which any such failure continues.]

Rights of
authorities
and com-
panies, &c.,
to open
roads.

32. Nothing in this Act shall take away or abridge any power to open or break up any road along or across which any tramway is laid, or any other power vested in any local authority or road authority for any of the purposes for which such authority is respectively constituted, or in any company, body, or person for the purpose of laying down, repairing, altering, or removing any pipe for the supply of gas or water, or any tubes, wires, or apparatus for telegraphic or other purposes, but in the exercise of such power every such local authority, road authority, company, body, or person shall be subject to the following restrictions ; (that is to say,)

- (1) They shall cause as little detriment or inconvenience to the promoters and lessees as circumstances admit :
- (2) Before they commence any work whereby the traffic on the tramway will be interrupted they shall (except in cases of urgency, in which cases no notice shall be necessary) give to the promoters and lessees, if there be any, notice of their intention to commence such work, specifying the time at which they will begin to do so, such notice to be given eighteen hours at least before the commencement of the work :
- (3) They shall not be liable to pay to the promoters or lessees any compensation for injury done to the tramway by the execution of such work, or for loss of traffic occasioned thereby, or for the reasonable exercise of the powers so vested in them as aforesaid :
- (4) Whenever for the purpose of enabling them to execute such work the local authority or the road authority shall so require, the promoters or lessees shall either stop traffic on the tramway to which the notice shall refer, where it would otherwise interfere with such work, or shore up and secure the same at their own risk and cost during the execution of the work there : Provided that such work shall always be completed by the local authority or the road authority, as the case may be, with all reasonable expedition :

- (5) Any company, body, or person shall not execute such work so far as it immediately affects the tramway except under the superintendence of the promoters, unless they refuse or neglect to give such superintendence at the time specified in the notice for the commencement of the work or discontinue the same during the progress of the work ; and they shall execute such work at their own expense, and to the reasonable satisfaction of the promoters : Provided that any additional expense imposed upon them by reason of the existence of the tramway in any road or place where any such mains, pipes, tubes, wires, or apparatus shall have been laid before the construction of such tramway shall be borne by the promoters.

PART III.

GENERAL PROVISIONS.

Carriages.

34. The promoters of tramways authorized by special Act and their lessees may use on their tramways carriages with flange-wheels or wheels suitable only to run on the rail prescribed by such Act ; and, subject to the provisions of such special Act and of this Act, the promoters and their lessees shall have the exclusive use of their tramways for carriages with flange-wheels or other wheels suitable only to run on the prescribed rail.

Power for promoters to use tramways with flange-wheeled carriages, &c.

All carriages used on any tramway shall be moved by the power prescribed by the special Act, and where no such power is prescribed, by animal power only.

No carriage used on any tramway which is hereafter authorized by special Act shall extend beyond the outer edge of the wheels of such carriage more than 11 inches on each side.

Licences to use Tramways.

35. If at any time after any tramway or part of any tramway shall have been for three years opened for public traffic in any district it shall be represented in writing to the *Ministry of Transport* by the local authority of such district, or by twenty inhabitant ratepayers of such district, or by the road authority of any road in which such tramway or part of a tramway is laid, that the public are deprived of the full benefit of the tramway, the *Ministry of Transport* may (if they consider that, *primâ facie*, the case is one for inquiry) direct an inquiry by a referee under this Act into the truth of the representation, and if the referee report that the truth of the representation has been proved to his satisfaction, the *Ministry* may from time to time grant licences to any company or person to use such tramway in addition to the promoters or their lessees for such traffic as is authorized by the special Act, with carriages to be approved by the *Ministry*, subject to the following provisions, conditions, and restrictions ; that is to say,

Licences to use the tramway may in certain events be granted to third parties by the Ministry of Transport.

- (1) The licence shall be for any period not less than one year nor more than three years from the date of the licence, but shall be renewable by the *Ministry*, if they upon inquiry think fit :
- (2) The licence shall be to use the whole of such tramway for the time being opened for public traffic, or such part or parts of such tramway as the *Ministry*, having reference to the cause for granting the licence, shall think right :
- (3) The licence shall direct the number of carriages which the licensee or licensees shall run upon such tramway, and the mode in which and times at which such carriages shall be run :

- (4) The licences shall specify the tolls to be paid to the promoters or to their lessees by the licensee or licensees for the use of the tramways :
- (5) The licensee or licensees, and their officers and servants, shall permit one person duly authorized for that purpose by the promoters, or by their lessees, to ride free of charge in or upon each carriage of the licensee or licensees run upon the tramways for the whole or any part of the journey :
- (6) The *Ministry of Transport* may at any time after the granting of any licence revoke, alter, or modify the same for good cause shown to them.

In default of payment of tolls licensee's carriages may be detained and sold.

36. If on demand any licensee fails to pay the tolls due in respect of any passengers carried in any carriage it shall be lawful for the promoters or their lessees, to whom the same are payable, to detain and sell such carriage, or if the same shall have been removed from the tramway or premises of such promoters or lessees, to detain and sell any other carriages on such tramway or premises belonging to such licensee, and out of the moneys arising from such sale to retain the tolls payable as aforesaid, and all charges and expenses of such detention and sale, rendering the overplus (if any) of such moneys and such of the carriages as shall remain unsold to the person entitled thereto.

Licensees to give account of passengers carried by them.

37. Every licensee shall on demand give to an officer or servant authorized in that behalf by the promoters or their lessees entitled to be paid toll by such licensee, an exact account in writing signed by such licensee of the number of passengers conveyed by any and every carriage used by him on the tramways.

Licensees not giving account of passengers carried liable to penalty.

38. If any such licensee fails to give such account to such officer or servant demanding the same as aforesaid, or if any such licensee with intent to avoid the payment of any tolls gives a false account, he shall for every such offence forfeit to the promoters, or to their lessees entitled to be paid tolls by such licensee, a sum not exceeding five pounds, and such penalty shall be in addition to any tolls payable in respect of the passengers carried by any such carriage.

Disputes as to amount of toll to be settled by justice.

39. If any dispute arise concerning the amount of the tolls due to the promoters or to their lessees from any licensee, or concerning the charges occasioned by any detention or sale of any carriage under the provisions herein contained, the same shall be settled in England by two justices, and in Scotland by the sheriff or two justices, and it shall be lawful for the promoters or their lessees in the meanwhile to detain the carriage, or (if the case so require) the proceeds of the sale thereof.

Owners of carriages liable for damage done by their servants.

40. Every licensee shall be answerable for any trespass or damage done by his carriages or horses, or by any of the servants or persons employed by him, to or upon the tramway, or to or upon the property of any other person, and, without prejudice to the right of action against the licensee or any other person, every such servant or other person may lawfully be convicted of such trespass or damage in England before two justices, and in Scotland before the sheriff or two justices, either by the confession of the party offending or by the oath of some credible witness ; and upon such conviction every such licensee shall pay to the promoters, lessees, or persons injured, as the case may be, the damage, to be ascertained by such justices, so that the same do not exceed fifty pounds.

Tolls.

Tolls, &c.

45. The promoters or lessees of a tramway authorized by special Act may demand and take, in respect of such tramway, tolls and

charges not exceeding the sums specified in such special Act, subject and according to the regulations therein specified. A list of all the tolls and charges authorized to be taken shall be exhibited in a conspicuous place inside and outside each of the carriages used upon the tramways.

See section 7 of 6 & 7 Vict. c. 86, p. 255.

Bye-laws.

46. Subject to the provisions of the special Act authorizing any tramway and this Act, Bye-laws by local authority.

The local authority of any district in which the same is laid down may, from time to time, make regulations as to the following matters :

The rate of speed to be observed in travelling upon the tramway :

The distances at which carriages using the tramway shall be allowed to follow one after the other :

The stopping of carriages using the tramway :

The traffic on the road in which the tramway is laid :

The promoters of any tramway and their lessees may from time to time make regulations,— Promoters may make certain regulations.

For preventing the commission of any nuisance in or upon any carriage, or in or against any premises belonging to them :

For regulating the travelling in or upon any carriage belonging to them.

And for better enforcing the observance of all or any of such regulations, it shall be lawful for such local authority and promoters respectively to make bye-laws for all or any of the aforesaid purposes, and from time to time repeal or alter such bye-laws, and make new bye-laws, provided that such bye-laws be not repugnant to the laws of that part of the United Kingdom where the same are to have effect :

Notice of the making of any bye-law under the provisions of this Act shall be published by the local authority or the promoters making the same by advertisement, according to the regulations contained in Part II of the Schedule (C) to this Act annexed, and unless such notice is published in manner aforesaid such bye-law shall be disallowed by the *Ministry of Transport*.

No such bye-laws shall have any force or effect which shall be disallowed by the *Ministry of Transport* within two calendar months after a true copy of such bye-law shall have been laid before the *Ministry*, and a true copy of every such proposed bye-law shall, not less than two calendar months before such bye-law shall come into operation, be sent to the *Ministry of Transport*, and shall be delivered to the promoters of such tramway if the same was made by the local authority, and to such local authority if made by the promoters.

47. Any such bye-law may impose reasonable penalties for offences against the same, not exceeding forty shillings for each offence, with or without further penalties for continuing offences, not exceeding for any continuing offence ten shillings for every day during which the offence continues ; but all bye-laws shall be so framed as to allow in every case part only of the maximum penalty being ordered to be paid. Penalties may be imposed in bye-laws.

48. The local authority shall have the like power of making and enforcing rules and regulations, and of granting licences with respect to all carriages using the tramways, and to all drivers, conductors, and other persons having charge of or using the same, and to the standings for the same, as they are for the time being entitled to make, enforce, and grant with respect to hackney carriages, and the drivers Power to local authority to license drivers, conductors, &c.

and other persons having the charge thereof, and to the standings for the same in the streets and district of or under the control of the local authority. Provided always that in any district in which any of the powers aforesaid in relation to hackney carriages and the matters aforesaid in connection therewith are vested in any authority other than the local authority of such district, such authority shall have and may exercise the powers by this section conferred upon the local authority.

The powers of this section are extended by 7 Edw. 7, c. 55, s. 5, to carriages on light railways.

In this section a tramcar is identified with a hackney carriage, whereas, according to the definition in the Act of 1869 (32 & 33 Vict. c. 115), it is clearly a stage carriage and not a hackney carriage. Difficulties might arise from this ambiguity. It seems plain, however, that—

- (1) In view of the wide terms of section 8 of 32 & 33 Vict. c. 115, the Commissioner may make the same regulations for licences of tramcars and drivers and conductors thereof as he makes for stage carriages.

It is the practice of the Commissioner to license tramcars as stage carriages and drivers and conductors thereof as stage carriage drivers and conductors.

- (2) Section 48 of the Tramways Act empowers the local authority to do certain things. It does not make a tramcar a hackney carriage for the purpose of 32 & 33 Vict. c. 115, or other London Public Carriage Act. According to these Acts the tramcar is a stage carriage, and is bound by the provisions as to stage carriages in the London Cab and Stage Carriage Acts and Orders made thereunder.

As to inconsistency of rules and regulations made by a local authority under this section with the provisions of a private Act, see *Blackpool & Fleetwood Tramroad Co. v. Bailey*, [1920] 1 K.B. 380; 17 L.G.R. 749.

Offences.

Penalty for obstruction of promoters in laying out tramway.

49. If any person wilfully obstructs any person acting under the authority of any promoters in the lawful exercise of their powers in setting out or making, forming, laying down, repairing, or renewing a tramway, or defaces or destroys any mark made for the purposes of setting out the line of the tramway, or damages or destroys any property of any promoters, lessees, or licensees, he shall for every such offence be liable to a penalty not exceeding five pounds.

Penalties for wilful injury or obstruction to tramways, &c.

50. If any person, without lawful excuse (the proof whereof shall lie on him), wilfully does any of the following things; (namely),
interferes with, removes, or alters any part of a tramway or of the works connected therewith;
places or throws any stones, dirt, wood, refuse, or other material on any part of a tramway;
does or causes to be done any thing in such manner as to obstruct any carriage using a tramway, or to endanger the lives of persons therein or thereon;
or knowingly aids or assists in the doing of any such thing;
he shall for every such offence be liable (in addition to any proceedings by way of indictment or otherwise to which he may be subject) to a penalty not exceeding five pounds.

Penalty on passengers practising frauds on the promoters.

51. If any person travelling or having travelled in any carriage on any tramway avoids or attempts to avoid payment of his fare, or if any person having paid his fare for a certain distance knowingly and wilfully proceeds in any such carriage beyond such distance, and does not pay the additional fare for the additional distance, or attempts to avoid payment thereof, or if any person knowingly and wilfully refuses or neglects on arriving at the point to which he has paid his fare to quit such carriage, every such person shall, for every such offence, be liable to a penalty not exceeding forty shillings.

52. It shall be lawful for any officer or servant of the promoters or lessees of any tramway, and all persons called by him to his assistance, to seize and detain any person discovered either in or after committing or attempting to commit any such offence as in the next preceding section is mentioned, and whose name or residence is unknown to such officer or servant until such person can be conveniently taken before a justice, or until he be otherwise discharged by due course of law.

Transient offenders.

The remedy which is given by this section is in addition to the common law right to treat a person who refuses to pay his fare as a trespasser. *Whittaker v. L. C. C.*, [1915] 2 K.B. 676.

53. No person shall be entitled to carry or to require to be carried on any tramway any goods which may be of a dangerous nature, and if any person send by any tramway any such goods without distinctly marking their nature on the outside of the package containing the same, or otherwise giving notice in writing to the book-keeper or other servant with whom the same are left at the time of such sending, he shall be liable to a penalty not exceeding twenty pounds for every such offence, and it shall be lawful for such promoters or lessees to refuse to take any parcel that they may suspect to contain goods of a dangerous nature, or require the same to be opened to ascertain the fact.

Penalty for bringing dangerous goods on the tramway.

54. If any person (except under a lease from or by agreement with the promoters, or under licence from the *Ministry of Transport*, as by this Act provided,) uses a tramway or any part thereof with carriages having flange-wheels or other wheels suitable only to run on the rail of such tramway, such person shall for every such offence be liable to a penalty not exceeding twenty pounds.

Penalty for persons using tramways with carriages with flange-wheels, &c.

An omnibus proprietor attached to his vehicle a lever to which small revolving disks were fastened which guided the carriage on the rails of a tramway; this contrivance (although no obstruction to the tramway) was held to be prohibited by this section. *Cottam v. Guest*, 6 Q.B.D. 70; 45 J.P. 95.

Miscellaneous.

55. The promoters or lessees, as the case may be, shall be answerable for all accidents, damages, and injuries happening through their act or default, or through the act or default of any person in their employment by reason or in consequence of any of their works or carriages, and shall save harmless all road and other authorities, companies, or bodies, collectively and individually, and their officers and servants, from all damages and costs in respect of such accidents, damages, and injuries.

Promoters or lessees to be responsible for all damages.

56. All tolls, penalties, and charges under this Act, or under any bye-law made in pursuance of this Act, may be recovered and enforced as follows: in England before two justices of the peace in manner directed by the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties of justices of the peace" out of sessions within England and Wales with respect to summary "convictions and orders," and any Act amending the same.

Recovery of tolls, penalties, &c.

Proceedings taken under Section 51 above are "in respect of a criminal offence." *Rayson v. S. London T. Co.*, [1893] 2 Q.B. 304.

See 2 & 3 Vict. c. 71, s. 47, by which penalties recovered before police magistrate are to be paid to the Receiver.

61. Nothing in this Act shall limit the powers of the local authority or police in any district to regulate the passage of any traffic along or across any road along or across which any tramways are laid down, and such authority or police may exercise their authority as well on as off the tramway, and with respect as well to the traffic of the promoters or of lessees as to the traffic of other persons.

Power for local or police authorities to regulate traffic in roads.

Reservation of right of public to use roads.

62. Nothing in this Act or in any bye-law made under this Act shall take away or abridge the right of the public to pass along or across every or any part of any road along or across which any tramway is laid, whether on or off the tramway, with carriages not having flange wheels or wheels suitable only to run on the rail of the tramway.

SCHEDULE A.

PART I.

Districts of Local Authorities.	Description of Local Authority of District set opposite its Name.	The Local Rate.
ENGLAND AND WALES.		
The City of London and the liberties thereof.	The Mayor, Aldermen, and Commons of the City of London.	The consolidated sewers rate.
The Metropolis (1) ..	The Metropolitan Board of Works.*	The metropolitan consolidated rate.
Boroughs (2)	The mayor, aldermen, and burgesses, acting by the council.	The borough fund or other property applicable to the purposes of a borough rate, or the borough rate.
Any place not included in the above descriptions, and under the jurisdiction of commissioners, trustees, or other persons intrusted by any Local Act with powers of improving, cleansing, or paving any town.	The commissioners, trustees, or other persons intrusted by the Local Act with powers of improving, cleansing, or paving the town.	Any rate leviable by such commissioners, trustees, or other persons, or other funds applicable by them to the purposes of improving, cleansing, or paving the town.
Any place not included in the above descriptions, and within the jurisdiction of local board constituted in pursuance of the Public Health Act, 1848, and the Local Government Act, 1858, or one of such Acts.	The local board ..	General district rate.
Any place or parish not within the above descriptions, and in which a rate is levied for the maintenance of the poor.	The vestry, select vestry, or other body of persons, acting by virtue of any Act of Parliament, prescription, custom, or otherwise, as or instead of a vestry or select vestry.	The poor rate.

NOTES.

(1) "The Metropolis" shall include all parishes and places in which the Metropolitan Board of Works have power to levy a main drainage rate, except the City of London and the liberties thereof.

(2) "Borough" shall mean any place for the time being subject to an Act passed in the session holden in the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide for the Regulation of Municipal Corporations in England and Wales."

* The London County Council is now substituted for the Metropolitan Board of Works in the above Schedule.

PART II.

Districts of Road Authorities.	Description of Road Authority of Districts set opposite its Name.
Parishes within the Metropolis (1) mentioned in Schedule (A) to the Metropolis Management Act, 1855.	The vestries appointed for the purposes of the Metropolis Management Act, 1855.
Districts within the Metropolis (1) formed by the union of the parishes mentioned in Schedule (B) to the Metropolis Management Act, 1855.	The board of works for the district appointed for the purpose of the Metropolis Management Act, 1855.

NOTE.

(1) The term "Metropolis" has in this Part the same meaning as in Part I of this Schedule.

SCHEDULE C.

PART II.

Notice of Bye-laws.

Within one month after the making of any bye-law notice of the making of the same, and a copy of such bye-law, shall be published by advertisement in manner following :—

(1) The advertisement is to be inserted once at least in each of two successive weeks in some one and the same newspaper published in the district affected by such bye-law ; or if there be no such newspaper, then in some one and the same newspaper published in the county in which such district, or some part thereof, is situate ; or if there be none, then in some one and the same newspaper published in some adjoining or neighbouring county.

(2) The advertisement is also, in every case, to be inserted once at least in the *London* or *Edinburgh Gazette*, accordingly as the district to which it relates is situate in England or Scotland.

LIST OF PRIVATE TRAMWAYS ACTS.

The Metropolitan Street Tramways Act	..	1869.
(32 & 33 Vict. c. xciv.)		
The Pimlico, Peckham & Greenwich Street Tramways Act	.. .. .	1869.
(32 & 33 Vict. c. xcv.)		
The North Metropolitan Tramways Act	..	1869.
(32 & 33 Vict. c. ci.)		
The Pimlico, Peckham & Greenwich Street Tramways Act	.. .. .	1870.
(33 & 34 Vict. c. clxvii.)		
The London Street Tramways Act	.. ..	1870.
(33 & 34 Vict. c. clxxi.)		
The North Metropolitan Tramways Act	..	1870.
(33 & 34 Vict. c. clxxii.)		

The Metropolitan Street Tramways Act (33 & 34 Vict. c. clxxiii.)	..	1870.	
The Pimlico, Peckham & Greenwich Street Tramways (Extensions) Act .. ..	..	1870.	
(33 & 34 Vict. c. clxxiv.)			
The North Metropolitan Tramways Act	..	1871.	
(34 & 35 Vict. c. clxxix.)			
The Pimlico, Peckham & Greenwich Street Tramways (Extension of Time) Act ..	..	1873.	
(36 Vict. c. lv.)			
The North Metropolitan Tramways Act	..	1873.	
(36 Vict. c. lxxviii.)			
The London Tramways Co., Ltd. (Purchase) Act		1873.	
(36 & 37 Vict. c. cciv.)			
The Metropolitan Tramways Orders Confirma- tion (No. 2) Act .. ..	..	1873.	L.U.T.
(36 & 37 Vict. c. lxxxv and ccxv.)			
The Metropolitan Tramways Orders Confirma- tion Act .. ..	..	1873.	
(36 & 37 Vict. c. ccxv.)			
London Street Tramways.			
Metropolitan Street Tramways.			
Pimlico, Peckham & Greenwich Tramways.			
West London Tramways.			
The London Streets Tramways (Further Powers) Act .. ..	..	1873.	
(36 & 37 Vict. c. ccxxi.)			
The Metropolitan Street Tramways (Money) Act		1873.	
(36 & 37 Vict. c. ccxxiii.)			
The Tramways Orders Confirmation Act	..	1874.	
(37 & 38 Vict. c. clxxxiii.)			
London Street Tramways.			
The Tramways Orders Confirmation Act	..	1876.	L.U.T.
(39 & 40 Vict. c. cl.)			
North Metropolitan Tramways New Works Act		1877.	
(40 & 41 Vict. c. cxi.)			
The London Street Tramways (Caledonian Road Extension) Act .. ..	..	1877.	
(40 & 41 Vict. c. ccxix.)			
The North Metropolitan Tramways (New Works) Act .. ..	..	1877.	
(40 & 41 Vict. c. cxi.)			
The Southwark and Deptford Tramways Act..		1879.	
(42 & 43 Vict. c. lxxii.)			
The South London Tramways Act	..	1879.	
(42 & 43 Vict. c. cxcvii.)			
The London Street Tramways (Extension) Act		1879.	
(42 & 43 Vict. c. clxxxix.)			
The Tramways Orders Confirmation Act	..	1879.	
(42 & 43 Vict. c. cxci.)			
The South London Tramways (Extension) Act		1880.	
(43 & 44 Vict. c. xvi.)			
The Tramways Orders Confirmation (No. 2) Act		1880.	
(43 & 44 Vict. c. clxxxiii.)			

The North Metropolitan Tramways Act	..	1880.	
(43 & 44 Vict. c. xcvi.)			
The London Tramways Company, Ltd. (Capital)			
Act	.. .. .	1880.	
(43 & 44 Vict. c. clv.)			
The Lea Bridge, Leyton and Walthamstow			
Tramways Act	.. .. .	1881.	
(44 & 45 Vict. c. clxx.)			
The Tramways Orders Confirmation (No. 3) Act	1881.		L.U.T.
(44 & 45 Vict. c. clxiv.)			
The Southwark and Deptford Tramways Act	..	1881.	
(44 & 45 Vict. c. clxxiii.)			
The Tramways Orders Confirmation (No. 1) Act	1881.		
(44 & 45 Vict. c. cv.)			
The South London Tramways Act	.. ..	1881.	
(44 & 45 Vict. c. clxxxiv.)			
The Tramways Orders Confirmation (No. 2) Act	1882.		
(45 & 46 Vict. c. lxx.)			
Highgate Hill.			
The West Metropolitan Tramways Act..	..	1882.	L.U.T.
(45 & 46 Vict. c. ccv.)			
The North Metropolitan Tramways Act	..	1882.	
(45 & 46 Vict. c. cxxxvi.)			
The London Street Tramways (Extensions) Act	1882.		
(45 & 46 Vict. c. clxiii.)			
The South London Tramways Act	.. ..	1882.	
(45 & 46 Vict. c. cxcii.)			
The North London Tramways Act	.. ..	1882.	M.E.T.
(45 & 46 Vict. c. cxciv.)			
The Peckham and East Dulwich Tramways Act	1882.		
(45 & 46 Vict. c. ccxiii.)			
The London Southern Tramways Act	.. ..	1882.	
(45 & 46 Vict. c. cclvii.)			
The North London Tramways Act	.. ..	1883.	M.E.T.
(46 & 47 Vict. c. cxlii.)			
The South London Tramways Act	.. ..	1883.	
(46 & 47 Vict. c. clxvii.)			
The Peckham and East Dulwich Tramways			
(Extensions) Act	.. .. .	1883.	
(46 & 47 Vict. c. ccxxvii.)			
The London Tramways Company (Limited) Act	1884.		
(47 & 48 Vict. c. lvii.)			
The London Streets Tramways (Extensions)			
Act	.. .. .	1884.	
(47 & 48 Vict. c. xciv.)			
The South-East Metropolitan Tramways Act	..	1884.	
(47 & 48 Vict. c. cxlvii.)			
The West Metropolitan Tramways Act..	..	1884.	L.U.T.
(47 & 48 Vict. c. c.)			
The Croydon Corporation Act	.. ..	1884.	
(47 & 48 Vict. c. cxli.)			
The North Metropolitan Tramways Act	..	1884.	
(47 & 48 Vict. c. clxviii.)			
The London Southern Tramways Act	.. ..	1884.	
(47 & 48 Vict. c. cxci.)			

The North London Tramways Act	.. ..	1884.	M.E.T.
(47 & 48 Vict. c. cxcii.)			
The Lea Bridge, Leyton and Walthamstow Tramways (Extensions) Act	.. ..	1884.	
(47 & 48 Vict. c. ccxlv.)			
The North Metropolitan Tramways Act	..	1885.	
(48 Vict. c. xxvi.)			
The London Street Tramways (Extensions) Act		1885.	
(48 & 49 Vict. c. cxv.)			
The Peckham and East Dulwich Tramways Act		1885.	
(48 & 49 Vict. c. cxcix.)			
The Harrow Road and Paddington Tramways Act	.. ..	1886.	M.E.T.
(49 & 50 Vict. c. civ.)			
The North London Tramways Act	.. ..	1886.	M.E.T.
(50 Vict. c. xxxix.)			
The London Street Tramways (Extensions) Act		1887.	
(50 Vict. c. iv.)			
The North Metropolitan Tramways Act	..	1887.	
(50 Vict. c. xii.)			
The Peckham and East Dulwich Tramways Act		1887.	
(50 & 51 Vict. c. clxxxiii.)			
The Tramways Orders Confirmation (No. 1) Act		1887.	L.U.T.
(50 & 51 Vict. c. cxcvi.)			
West Metropolitan Tramways.			
The London Street Tramways (Extensions) Act		1888.	
(51 & 52 Vict. c. lxxviii.)			
The Tramways Orders Confirmation (No. 3) Act		1888.	
(51 & 52 Vict. c. cxxii.)			
North Metropolitan Tramways.			
The London Tramways Company (Limited) (Various Powers) Act	.. ..	1888.	
(51 & 52 Vict. c. cxliv.)			
The South-Eastern Metropolitan Tramways Act		1888.	
(51 & 52 Vict. c. clxxxvi.)			
The Southwark and Deptford Tramways Act..		1889.	
(52 & 53 Vict. c. cxlviii.)			
The Lea Bridge, Leyton and Walthamstow Tramways Act	.. ..	1889.	
(52 & 53 Vict. c. clviii.)			
The London Tramways Company (Limited) (Extensions) Act	.. ..	1889.	
(52 & 53 Vict. c. cxxix.)			
The West Metropolitan Tramways Act..	..	1889.	L.U.T.
(52 & 53 Vict. c. ccii.)			
The London Tramways Company (Limited) Act		1890.	
(53 Vict. c. xxiv.)			
The North Metropolitan Tramways Act	..	1890.	
(53 & 54 Vict. c. xlv.)			
The Tramways Orders Confirmation (No. 2) Act		1890.	
(53 & 54 Vict. c. clxxxii.)			
Lea Bridge, Leyton and Walthamstow.			
The West Metropolitan Tramways Act..	..	1891.	L.U.T.
(54 & 55 Vict. c. cxxxii.)			

The Harrow Road and Paddington Tramways Act	1891.	M.E.T.
(54 & 55 Vict. c. clxviii.)		
The London (Deptford and Greenwich) Tramways Act	1891.	
(54 & 55 Vict. c. ccix.)		
The North Metropolitan Tramways Act ..	1892.	M.E.T.
(55 & 56 Vict. c. clx.)		
The Harrow Road and Paddington Tramways Act	1893.	M.E.T.
(56 Vict. c. xli.)		
The West Metropolitan Tramways Act.. ..	1893.	L.U.T.
(56 Vict. c. xlvi.)		
The London (Deptford and Greenwich) Tramways Act	1893.	
(56 & 57 Vict. c. ccxii.)		
The Harrow Road and Paddington Tramways Act	1894.	M.E.T.
(57 & 58 Vict. c. lxxiii.)		
The London Tramways Company (Limited) Act	1894.	
(57 & 58 Vict. c. cxxxii.)		
The London Street Tramways Act	1895.	
(58 Vict. c. xxxii.)		
The Tramways Orders Confirmation (No. 1) Act	1895.	L.U.T.
(58 & 59 Vict. c. c.)		
London United Tramways.		
The London County Tramways Act	1896.	
(59 & 60 Vict. c. li.)		
The London Tramways Company (Limited) Act	1896.	
(59 & 60 Vict. c. clxxxix.)		
The London County Council (Vauxhall Bridge) Tramways Act	1896.	
(59 & 60 Vict. c. ccxi.)		
Vauxhall Bridge.		
The North Metropolitan Tramways Act ..	1897.	M.E.T.
(60 & 61 Vict. c. ccxxxix.)		
The Ilford Improvement Act	1898.	
(61 & 62 Vict. c. cxix.)		
The East Ham Improvement Act	1898.	
(61 & 62 Vict. c. cxxiv.)		
The Leyton Urban District Council Act ..	1898.	
(61 & 62 Vict. c. clxxv.)		
The West Ham Corporation Act	1898.	
(61 & 62 Vict. c. cclix.)		
The Tramways Orders Confirmation (No. 2) Act	1898.	
(61 & 62 Vict. c. ccii.)		
East Ham Council.		
The London United Tramways Act	1898.	L.U.T.
(61 & 62 Vict. c. cclvi.)		
The Foreign Cattle Market (Deptford) Act ..	1898.	
(61 & 62 Vict. c. li.)		
The Tramways Orders Confirmation (No. 3) Act	1899.	
(62 & 63 Vict. c. cclxxiv.)		
The London United Tramways Act	1899.	L.U.T.
(62 & 63 Vict. c. cxciv.)		

The Tramways Orders Confirmation (No. 3) Act	1899.	
(62 & 63 Vict. c. cclxxiv.)		
The West Ham Corporation Act.. ..	1900.	
(63 & 64 Vict. c. ccxlv.)		
The London County Tramways (Electrical Power) Act	1900.	
(63 & 64 Vict. c. ccxxxviii.)		
The Croydon Corporation Act	1900.	
(63 & 64 Vict. c. ccxxix.)		
The Tramways Orders Confirmation (No. 3) Act	1900.	
(63 & 64 Vict. c. cc.)		
East Ham.		
The South-Eastern Metropolitan Tramways Act	1900.	
(63 & 64 Vict. c. cxlvii.)		
The London County Tramways Act	1900.	
(63 & 64 Vict. c. cclxx.)		
The London United Tramways Act	1900.	L.U.T.
(63 & 64 Vict. c. cclxxi.)		
The Bexley Tramways Act	1901.	
(1 Edw. 7, c. ciii.)		
The London United Tramways Act	1901.	L.U.T.
(1 Edw. 7, c. cclx.)		
The London County Council (Tramways and Improvements) Act	1901.	
(1 Edw. 7, c. cclxxi.)		
The North Metropolitan Tramways Act ..	1902.	
(2 Edw. 7, c. clxx.)		
The London United Tramways Act	1902.	L.U.T.
(2 Edw. 7, c. ccxlvii.)		
The London County Council (Subway and Tramways) Act	1902.	
(2 Edw. 7, c. ccxviii.)		
The West Ham Corporation Act.. ..	1902.	
(2 Edw. 7, c. clxvi.)		
The Croydon and District Electric Tramways Act	1902.	S.M.E.T. & L.
(2 Edw. 7, c. clxxi.)		
The Middlesex County Council Tramways Act	1902.	M.E.T.
(2 Edw. 7, c. xlvii.)		
The London County Council (Tramways and Improvements) Act	1902.	
(2 Edw. 7, c. ccxix.)		
The Harrow Road and Paddington Tramways Act	1903.	M.E.T.
(3 Edw. 7, c. cxc.)		
The London United Tramways Act	1903.	L.U.T.
(3 Edw. 7, c. cxci.)		
The London County Council (Tramways and Improvements) Act	1903.	
(3 Edw. 7, c. ccxix.)		
The Croydon and District Electric Tramways Act	1903.	S.M.E.T. & L.
(3 Edw. 7, c. cclxi.)		
The Erith Tramways and Improvement Act ..	1903.	
(3 Edw. 7, c. ccl.)		

The Harrow Road and Paddington Tramways Act	1904.	M.E.T.
(4 Edw. 7, c. lxxi.)		
The London United Tramways Act	1904.	L.U.T.
(4 Edw. 7, c. cxcviii.)		
The Tramways Orders Confirmation (No. 2) Act	1904.	
(4 Edw. 7, c. clxxxi.)		
East Ham.		
West Ham.		
The London County Council (Tramways and Improvements) Act	1904.	
(4 Edw. 7, c. ccxxxi.)		
The Leyton Urban District Council Act ..	1904.	
(4 Edw. 7, c. ccxl.)		
The Metropolitan Electric Tramways Act ..	1905.	M.E.T.
(5 Edw. 7, c. clxiv.)		
The London United Tramways Act	1905.	L.U.T.
(5 Edw. 7, c. l.)		
The Croydon Corporation Act	1905.	
(5 Edw. 7, c. lvi.)		
The North Metropolitan Tramways Act ..	1906.	
(6 Edw. 7, c. xi.)		
The London United Tramways Act	1906.	L.U.T.
(6 Edw. 7, c. cli.)		
The London County Council (Tramways and Improvements) Act	1906.	
(6 Edw. 7, c. clxxxi.)		
The London United Tramways Act	1907.	L.U.T.
(7 Edw. 7, c. lxxii.)		
The Tramways Orders Confirmation Act ..	1907.	
(7 Edw. 7, c. cxvii.)		
Barking, Ilford, East Ham.		
The London County Council (Tramways and Improvements) Act	1907.	
(7 Edw. 7, c. cxliv.)		
The Metropolitan Electric Tramways Act ..	1908.	M.E.T.
(8 Edw. 7, c. xci.)		
The London County Council (Tramways and Improvements) Act	1908.	
(8 Edw. 7, c. lxxviii.)		
The London United Tramways Act	1908.	L.U.T.
(8 Edw. 7, c. c.)		
The London County Council (Tramways and Improvements) Act	1909.	
(9 Edw. 7, c. lxxv.)		
The London County Council (Tramways and Improvements) Act	1910.	
(10 Edw. 7 and 1 Geo. 5, c. cxxviii.)		
The London County Council (General Powers) Act	1910.	
(10 Edw. 7 and 1 Geo. 5, c. cxxix.)		
The London United Tramways Act	1910.	L.U.T.
(10 Edw. 7 and 1 Geo. 5, c. cxii.)		
The Metropolitan Electric Tramways Act ..	1911.	M.E.T.
(1 & 2 Geo. 5, c. xciii.)		

The London County Council (Tramways and Improvements) Act	1911.	
(1 & 2 Geo. 5, c. cvi.)		
The London United Tramways Act	1911.	L.U.T.
(1 & 2 Geo. 5, c. xi.)		
The London United Tramways Act	1912.	L.U.T.
(2 & 3 Geo. 5, c. lxxiii.)		
The London County Council (Tramways and Improvements) Act	1912.	
(2 & 3 Geo. 5, c. cvi.)		
The London County Council (Tramways and Improvements) Act	1913.	
(3 & 4 Geo. 5, c. cii.)		
The Metropolitan Electric Tramways (Railless Traction) Act	1913.	M.E.T.
(3 & 4 Geo. 5, c. ciii.)		
The London County Council (Tramways and Improvements) Act	1914.	
(4 & 5 Geo. 5, c. cxlix.)		
The London United Tramways Act	1914.	L.U.T.
(4 & 5 Geo. 5, c. xcvi.)		
The London County Council (Tramways and Improvements) Act	1915.	
(5 & 6 Geo. 5, c. civ.)		
The Metropolitan Electric Tramways Act ..	1916.	M.E.T.
(6 & 7 Geo. 5, c. xv.)		
The London United Tramways Act	1918.	L.U.T.
(8 & 9 Geo. 5, c. lvi.)		
The Erith Improvement Act	1920.	
M.E.T.—Metropolitan Electric Tramways Co.		
L.U.T.—London United Tramways Co.		
S.M.E.T. & L.—South Metropolitan Electric Tramways and Lighting Co.		

SELECTED SECTIONS OF THE LONDON COUNTY COUNCIL TRAMWAYS ACTS.

Many of the other private Acts in the foregoing list contain similar provisions to those set forth below.

63 & 64 Vict.
c. ccxxviii.

LONDON COUNTY TRAMWAYS (ELECTRICAL POWER) ACT, 1900.

24. If any person wilfully does or causes to be done with respect to any apparatus used for or in connection with the working of any of the tramways anything which is calculated to obstruct or interfere with the working of the tramways or to cause injury to any person he shall (without prejudice to any proceedings by way of indictment or otherwise to which he may be subject) be guilty of an offence punishable on summary conviction, and every person convicted of such offence or of any offence under section 50 of the Tramways Act, 1870, with respect to the tramways shall be liable to a penalty not exceeding twenty pounds.

LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS) ACT, 1907.

38. All regulations and bye-laws made or hereafter to be made by the *Ministry of Transport* under the provisions of section 7 (as to bye-laws) of the London County Tramways Act, 1896, and for the time being in force shall extend and apply to all tramways for the time being worked by the Council.

7 Edw. 7, c. cxliv.
Extension of Ministry of Transport Regulations and Bye-laws.

LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS) ACT, 1909.

51. Subject to the powers of the Commissioner of Police of the Metropolis with respect to stopping-places, the Council for the purpose of working any of their tramways by electrical power may prescribe places at which carriages used thereon shall stop or may be required to stop for the purpose of taking up and setting down passengers and the Council shall not be obliged to stop the carriages on any of the said tramways to take up or set down passengers elsewhere than at places prescribed as stopping-places under the provisions of this section.

See London Cab and Stage Carriage Act (7 Edw. 7, c. 55), s. 4, *ante*, p. 282.

52. If any obstruction to the traffic on any of the tramways of the Council is caused by any vehicle breaking down or any load falling from a vehicle the person in charge of the vehicle shall forthwith remove the vehicle or load so as to prevent the continuance of the obstruction, and if he fails to do so the Council may so remove the vehicle or load and may remove any other obstruction to such traffic and may provide and use all necessary plant and apparatus and take all necessary steps to prevent and remove any such obstructions and the Council shall in removing such obstruction conform to the reasonable requirements of the police.

Removal of obstructions.

60. The Commissioner of Police of the Metropolis may affix to tramway standards erected by the Council under this Act any notice required for purposes of the Metropolitan Streets Acts or the Metropolitan Public Carriage Acts which the Commissioner is authorized by those Acts to attach to lamp-posts. Provided that the Commissioner shall give notice in writing to the Council of his desire to affix any such notice and shall make compensation to the Council for any damage or injury which may result to the Council or their property by the affixing of any such notice. Nothing in this section shall be deemed to require the Council to retain any tramway standard when no longer required for the purposes of the Council.

Commissioner of Police may affix notices to standards.

See 30 & 31 Vict. c. 134, ss. 10 (2), *ante*, p. 30, and 32 & 33 Vict. c. 115, s. 14, *ante*, p. 280

61. Nothing in this Act shall be held to restrict or interfere with the exercise by the Commissioner of Police of the Metropolis of the powers conferred on him by the Acts relating to public carriages in the Metropolitan Police District.

Saving of powers of Commissioner of Police.

LONDON COUNTY COUNCIL (GENERAL POWERS) ACT, 1910.

44. Subject to the conditions hereinbefore set forth any metropolitan police magistrate may on the application of the Council appoint all or so many as he thinks fit of the persons recommended to him for that purpose by the Council to act as special constables upon lands belonging to or under the control of the Council for the purposes of

10 Edw. 7, and 1 Geo. 5, c. cxxix. Constables.

their tramway undertaking and the following provisions shall apply to every appointment so made :—

- (1) Every person so appointed shall make oath or declaration in due form of law before any metropolitan police magistrate duly to execute the office of a constable :
- (2) Every person so appointed and having been sworn or having made declaration as aforesaid shall during the continuance of his appointment have all the powers protection and privileges of a constable in respect of the exercise of his duties and may follow and arrest any person who has departed from any such lands as aforesaid after committing therein or thereon any offence for which he might have been arrested while within or upon such lands :
- (3) Any metropolitan police magistrate or the Council may dismiss from his office or accept the resignation of any constable so appointed and thereupon all powers protection and privileges belonging to such person by virtue of such appointment shall wholly cease :
- (4) Nothing in this section contained shall restrict or affect the jurisdiction or powers of the Commissioner of Police of the Metropolis or the Commissioner of City Police or the police forces under their respective control :
- (5) A constable appointed as aforesaid shall not act as such under the authority of this section unless he be in uniform or provided with an authority to act as constable which authority the metropolitan police magistrate before whom such constable makes oath or declaration as aforesaid is hereby empowered to grant and if the constable be not in uniform he shall show his authority whenever called upon to do so :

Provided that for the purpose of the appointment of any person to act under this section as a special constable within the City of London the foregoing provisions of this section shall be read and have effect as if a magistrate of the said City were referred to therein in lieu of a metropolitan police magistrate.

Application
of penalties
under Act.

46. Notwithstanding anything contained in the Metropolitan Police Courts, Act, 1839, or in any other Act, every penalty recovered under or in pursuance of this Act or any bye-law made thereunder shall be payable to the authority taking the proceedings leading to the recovery of the penalty.

10 Edw. 7
and
1 Geo. 5,
c. cxxviii.
Power to
Council to
erect and
maintain
certain
shelters or
waiting-
rooms.

LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS) ACT, 1910.

36.—(1) The Council may erect and maintain shelters or waiting-rooms for the accommodation of passengers in connection with the tramways of the Council at or near the eastern end of the Victoria Embankment and at or near the junction of Queen's Road and New Cross Road in the Metropolitan Borough of Deptford, and at or near the junction of Upper Clapton Road and Amburst Park with Stamford Hill in the Metropolitan Borough of Hackney, and may with the consent of the road authority use for that purpose portions of the streets and the Council may maintain any such shelters or waiting-rooms which have already been erected by them.

(2) The Council may make and enforce bye-laws with reference to the regulation, use, and management of any such shelters or waiting-rooms.

(3) The Commissioner of City Police may at any time after the expiration of ten years from the first erection of the said shelter or waiting-room at or near the eastern end of the Victoria Embankment require the removal thereof if he shall reasonably consider that the requirements of the traffic necessitate such removal.

42. The Commissioner of Police of the Metropolis may affix to tramway standards erected by the Council under this Act any notice required for the purposes of the Metropolitan Streets Acts or the Metropolitan Public Carriage Acts which the Commissioner is authorized by those Acts to attach to lamp-posts: Provided that the Commissioner shall give notice in writing to the Council of his desire to affix any such notice and shall make compensation to the Council for any damage or injury which may result to the Council or their property by the affixing of any such notice. Nothing in this section shall be deemed to require the Council to retain any tramway standard when no longer required for the purposes of the Council.

Commissioner of Police may affix notices to standards.

LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS) ACT, 1911.

36.—(1) The Council may erect and maintain shelters or waiting-rooms for the accommodation of passengers in connection with any of the tramways of the Council, and may with the consent of the road authority and subject to such reasonable terms and conditions as may be agreed between the Council and the road authority use for that purpose portions of the streets and the Council may maintain any such shelters or waiting-rooms which have already been erected by them:

1 & 2 Geo. 5, c. cvi. Power to Council to erect and maintain shelters or waiting-rooms.

The Council shall in all cases consult the Commissioner of Police of the Metropolis before erecting any such shelter or waiting-room and shall have due regard to the convenience of the general traffic.

(2) The Council may make and enforce bye-laws with reference to the regulation use and management of any such shelters or waiting-rooms and such bye-laws shall be subject to the provisions of the Metropolitan Management Act, 1855, respecting the making, confirmation, approval, publication, and evidence of bye-laws.

(3) No shelters or waiting-rooms shall be erected or maintained under the powers given by this Act opposite to any land or building vested in or under the control of His Majesty's Principal Secretary of State for the War Department or the Commissioners of Works without the previous consent in writing of the said Secretary of State or of the Commissioners of Works or of an officer acting on his or their behalf as the case may be.

(4) Nothing in this section shall authorize the Council to erect and maintain any such shelters or waiting-rooms upon the Victoria Embankment to the south of land vested in the respective trustees of the societies of the Inner Temple and the Middle Temple or in any way interfere with the access to their private landing-place without the consent in writing of the treasurers for the time being of the two societies respectively.

37. Notwithstanding anything contained in the section of this Act the marginal note whereof is "Power to Council to erect and maintain shelters or waiting-rooms," no shelter or waiting-room shall be erected

For protection of railway companies.

or maintained in any street or road so as to interfere with or render less convenient the access to or exit from any station of any railway company.

Any difference arising under this section shall be determined by an arbitrator to be agreed upon by both parties or failing such agreement to be appointed by the *Ministry of Transport* on the application of either party.

Attachment of signs indicating stopping places to lamp-posts, &c.

41. The Council may attach to any lamp-posts, poles, standards, or other similar erections erected on or in the highway on or near to the route of any of their tramways, signs or directions indicating the position of stopping-places for cars running on such tramways. Provided that the Council shall give notice in writing to the owner of any such lamp-post, pole, standard, or similar erection of their intention to attach thereto any such sign or direction, and shall make compensation to the said owner for any damage or injury occasioned to such lamp-post, standard, or similar erection by such attachment, and the Council shall indemnify the said owner against any claim for damage occasioned to any person or property by or by reason of such attachment :

Nothing in this section shall be deemed to require the said owner to retain any such lamp-post, pole, standard, or similar erection when no longer required for his purposes :

Provided also that the Council shall not attach any such sign or direction to any pole, post, or standard belonging to the Postmaster-General except with his consent in writing.

1 Geo. 5, c. cxxix. Charges for passengers' luggage.

42. Every passenger travelling upon any of the Council's tramways may take with him his personal luggage not exceeding twenty-eight pounds in weight without any charge being made for the carriage thereof all such luggage to be carried by hand and not to occupy any part of a seat nor to be of a form or description to annoy or inconvenience other passengers and in respect of luggage accompanied by a passenger other than as aforesaid the Council may make and recover such charges as they think fit for the conveyance thereof.

Power to reserve cars for special purposes.

43. Notwithstanding anything contained in any Act to the contrary, the Council may run and reserve cars on any of their tramways for the conveyance of women or for any other special purpose which the Council may consider necessary or desirable and the *Ministry of Transport* may make bye-laws and regulations for prohibiting the use of any such cars by any persons other than those for whose conveyance such cars are reserved.

Saving of powers of Commissioner of Police.

44. Nothing in this Act shall be held to restrict or interfere with the exercise by the Commissioner of Police of the Metropolis of the powers conferred on him by the Acts relating to public carriages in the Metropolitan Police District.

2 & 3 Geo. 5, c. cvi. LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS) ACT, 1912.

Power to use trailer and coupled carriages.

29.—(1) Notwithstanding anything to the contrary contained in any Act order bye-law or regulation the Council may provide maintain work and use trailer carriages and with the consent of the *Ministry of Transport* coupled carriages on such portions of any tramways worked by the Council—

- (a) south of the River Thames ;
- (b) on the Victoria Embankment and Vauxhall Bridge Road and Beaufort Street up to King's Road, Chelsea ; and
- (c) over Westminster Blackfriars Vauxhall and Battersea Bridges respectively ;

and at such times as the *Ministry of Transport* may approve and for such periods and on such terms and conditions as may be expressed in such approval and the *Ministry of Transport* may revoke any such approval : Provided that the Council shall not in exercising the powers in this section contained obstruct or interfere with the free passage of persons or vehicles to or from the entrances to or exits from the stations of any railway company and trailer carriages or coupled carriages shall not without the consent of such company be stopped for the distance thereon extending in front of the said entrances or exits and for a length of ten yards at each end of such entrance except only for so long as shall be reasonably necessary for the purposes of discharging and taking up passengers.

(2) The trailer carriages and coupled carriages used by the Council under the provisions of this section shall be fitted with such brakes and safety appliances as the *Ministry of Transport* may approve, and no trailer carriage or coupled carriage shall be used by the Council of a design not approved by the *Ministry of Transport* for the purpose.

(3) Except so far as the *Ministry of Transport* may otherwise allow the number of carriages or vehicles which may be used or run attached together in each case shall not exceed two.

30.—(1) The Council may make bye-laws requiring persons waiting to enter carriages at any stopping place or terminus upon any of their tramways to wait in lines or queues and to enter such carriages in the order in which they stood in such line or queue, and such bye-laws shall be subject to the provisions of the Metropolis Management Act, 1855, respecting the making, confirmation, approval, publication, and evidence of bye-laws and proceedings before justices and recovery of penalties thereunder.

Power to require intending passengers to wait in lines or queues.

(2) Any bye-laws made under the provisions of this section shall be enforced by the Council.

32. The provisions of section 47 of the Tramways Act, 1870, shall extend and apply to any bye-laws made for the purposes of section 43 of the London County Council (Tramways and Improvements) Act, 1911.

Applying section 47 of Tramways Act, 1870, to certain bye-laws.

LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS) ACT, 1913.

27. Notwithstanding anything to the contrary contained in any Act, order, bye-law, or regulation the Council may during inclement weather or on Sundays or Bank or other public holidays throughout the day or on Saturdays after 12 o'clock noon or (with the consent of the Commissioner of Police of the Metropolis) on special occasions carry inside any carriage used by them on any tramways an additional number of inside passengers not exceeding one-third of the number of inside passengers which such carriage is licensed to contain.

3 & 4 Geo. 5, c. cii.
Power to carry additional passengers.

See section 24 of 4 & 5 Geo. 5, c. cxlix, which appears on the following page.

29. The Council may with the consent of the road authority and subject to such reasonable terms and conditions as may be agreed between the Council and the road authority erect and maintain refuges in any street in which their tramways are situate.

Power to erect refuges in streets.

The Council shall in all cases consult the Commissioner of Police of the Metropolis before erecting any such refuge, and shall have due regard to the convenience of the general traffic.

4 & 5 Geo. 5, LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS) ACT, 1914.
c. cxlix.

As to use of
posts for
advertisements.

21.—(1) The Council shall not exhibit or permit the exhibition of advertisements on any posts or standards erected by them in any street for the purposes of their tramway undertaking other than advertisements relating to any undertaking or public service maintained or managed by the Council. In case of any contravention of the provisions of this section the Council shall be liable to pay a penalty not exceeding five pounds.

(2) Nothing in this section shall affect the right of the Commissioner of Police of the Metropolis to affix notices to such posts or standards in exercise of any express statutory power in that behalf.

Amending
section 27 of
L.C.C.
Tramways
Act, 1913.

24. Nothing in section 27 (Power to carry additional passengers) of the London County Council (Tramways and Improvements) Act, 1913, shall be deemed to authorize the conveyance in the upper saloon of a two-deck carriage of additional passengers in excess of the number which such carriage is licensed to carry in such saloon or to authorize the conveyance in the lower saloon of such carriage of a number of additional passengers exceeding one-third of the number which such carriage is licensed to carry in such saloon.

BYE-LAWS AND REGULATIONS FOR VARIOUS TRAMWAYS.

Promoters.	Working Regulations.	Additional Working Regulations.	Section 46, Tramways Act, 1870—Bye-laws (or similar Bye-laws for Light Railways) made.
Barking and Beckton Light Railways (p. 308)	30.1.06 (Statutory Rules and Orders, No. 126)	12.9.07 (759) 9.4.12 (397)	19.9.07
Bexley U.D.C. Tramways (p. 313)	29.1.14 (136)	9.4.12 (387)	30.5.05
Croydon Corporation Tramways (p. 318)	9.6.09 (672)	16.2.10 (196) 9.4.12 (389)	20.3.02 2.9.04 11.12.07 31.12.08
Croydon and District Tramways, South Metropolitan Electric Tramways & Lighting Co. Ltd. (p. 325)	8.7.08 (543)	9.4.12 (388)	
Dartford Light Railways (p. 330)	30.4.06 (342)	9.4.12 (398)	5.7.06
East Ham Corporation Tramways (p. 334)	17.7.15 (743)	9.4.12 (390)	14.9.07
Erith U.D.C. Tramways (p. 340)	21.12.05 (1354)	9.4.12 (391)	5.3.06 and 21.3.06
Harrow Road Tramway (p. 345)	6.5.12 (492)	—	Met. Elec. Tram. Co.'s Code applies.

BYE-LAWS AND REGULATIONS FOR VARIOUS TRAMWAYS—*cont.*

Promoters.	Working Regulations.	Additional Working Regulations.	Section 46, Tramways Act, 1870—Bye-laws (or similar Bye-Laws for Light Railways) made.
Harrow Road and Paddington Tramways (p. 347)	6.5.12 (491)	9.4.12 (392)	Met. Elec. Tram. Co.'s Code applies.
County of Hertford Light Railways (p. 350)	22.9.14 (1442)	9.4.12 (399)	27.9.09
Ilford U.D.C. Tramways (p. 354)	23.11.14 (1738)	9.4.12 (393)	2.6.08
Leyton U.D.C. Tramways (p. 360)	6.11.14 (1650)	9.4.12 (394)	21.9.06
London County Council Tramways (p. 365)*	14.7.14 (1098)	9.4.12 (395) 30.10.14 (1386) 18.11.15 (1161)	29.7.13 27.7.20
London United Tramways (p. 382, and Addenda, p. 467) (See also Regulations printed in Addenda.)	7.12.06 (907)	18.10.07 (820) 16.11.08 (1040) 9.4.12 (403)	11.1.05 21.9.17
			Brentford U.D.C., 30.7.04
			Chiswick U.D.C., 19.8.04
			Hampton U.D.C., 10.5.04
			Hampton Wick U.D.C., 24.8.04
			Hanwell U.D.C., 15.7.04
			Teddington U.D.C., 27.9.04
			Twickenham U.D.C., 8.10.04
Metropolitan Electric Tramways (p. 394)	15.5.12 (514)	9.4.12 (392) 23.5.14 (735)	18.2.05 22.8.06 29.4.14 5.7.05
County of Middlesex Light Railways (p. 400)	16.5.12 (516)	9.4.12 (400)	
Mitcham Light Railways (p. 407)	23.7.06 (595)	9.4.12 (401)	South Metropolitan Code 31.12.08 applies. 30.9.11
Walthamstow U.D.C. Light Railways (p. 410)	2.9.05 (1012)	9.4.12 (402)	
West Ham Corporation Tramways (p. 414)	22.12.13 (1374)	9.4.12 (396)	11.9.07

* For Regulations concerning Holborn to Embankment Tramway Subway, see p. 92.

BYE-LAWS AND REGULATIONS.

The undermentioned bye-laws and regulations made under the Tramways Act, 1870, are now in force on the tramways controlled by the authorities mentioned.

There is no power of arrest for offences against the bye-laws, but attention is called to the provisions of sections 51 and 52 of the Tramways Act, 1870, see p. 290.

Where "Board of Trade" occurs in these bye-laws and regulations the words should read "Ministry of Transport."

BARKING AND BECKTON.

S.R. & O., 1906, No. 126.

REGULATIONS, DATED 30TH JANUARY, 1906, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE BARKING AND BECKTON LIGHT RAILWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by the Barking and Beckton Light Railways Order, 1898 (confirmed by the Board of Trade on the 13th day of February, 1899), and the Barking Light Railways (Extensions) Order, 1903 (confirmed by the Board of Trade on the 26th day of March, 1903), with respect to the use of electrical power on the overhead trolley system on all or any of the railways on which the use of mechanical power has been authorized by the said Orders and on which the use of such power has been authorized (hereinafter called "the railways").

The Order of the Board of Trade in this behalf dated the 4th day of May, 1904, is hereby rescinded.

Regulations.

Require-
ments of
carriages.

I. Every motor carriage used on the railways shall comply with the following requirements, that is to say:—

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell or whistle to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the railways except in the case of the removal of a disabled carriage.

III. Every carriage used on the railways shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. Every carriage on the railways shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every such carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

Speed.

V. The speed at which the carriages shall be driven or propelled along the railways shall not exceed the rate of—

Twelve miles an hour—

- (a) In Beckton Road, between the Gas Works and the approach to the bridge over Barking Creek.
- (b) In Ilford Lane and Fanshawe Avenue.
- (c) In London Road between the Urban District boundary and North Street.

Ten miles an hour—

- (a) In Gascoigne Road and Boundary Road, between Axe Street and the approach to the bridge over Barking Creek.
- (b) In East Street and North Street.

Six miles an hour—

When crossing the bridge over Barking Creek.

Four miles an hour—

- (a) Through facing points, whether fixed or movable.
- (b) On all curves of 66 feet or less radius.
- (c) On the curve between Gascoigne Road and Boundary Road.
- (d) On the curves at each end of the bridge over Barking Creek.

At all other places the speed shall not exceed the rate of *eight* miles an hour.

VI. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the railways and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe.

VII. The overhead conductors used in connection with the working of the railways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 17 feet, except where they pass under railway bridges.

VIII. The overhead conductors shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so inclosed as to be inaccessible to pedestrians.

IX. No part of any electric line shall be used for the transmission of more than 300,000 watts, except with the consent in writing of the Board of Trade, and efficient means shall be provided to prevent this limit being at any time exceeded.

X. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

XI. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XII. The trolley standard of every double-decked carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of this standard becoming electrically charged from any defect in the electrical conductors contained within it or give a continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the roof of a carriage as long as there is risk of electric shock.

XIII. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XIV. If and whenever telegraph or telephone wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the railways, efficient guard wires shall be erected and maintained at all such places.

XV. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the railways, immediate notice thereof shall be given to the Board of Trade.

XVI. The entrance to and exit from the carriages shall be by the hindmost or conductor's platform except at a terminus when the carriages are stationary.

XVII. The carriages shall be brought to a standstill whenever it is necessary to avoid impending danger.

XVIII. A printed copy of these regulations shall be kept in a conspicuous position inside of each carriage in use on the railways.

Penalty.

NOTE.—The Barking Town Urban District Council or any company or person using electrical power on the railways contrary to any of the above Regulations I to XV inclusive is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof, and any person offending against or committing a breach of

any of Regulations XVI to XVIII inclusive is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts with respect to the recovery of penalties are applicable to the penalties for the breach of these regulations.

Signed by order of the Board of Trade, this 30th day of January, 1906.

S.R. & O., 1907, No. 759.

REGULATION, DATED 12TH SEPTEMBER, 1907, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE BARKING URBAN DISTRICT COUNCIL LIGHT RAILWAYS IN ADDITION TO THE REGULATIONS, DATED 30TH JANUARY, 1906.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following additional regulation for securing to the public reasonable protection against danger in the exercise of the powers conferred by the Barking and Beckton Light Railways Order, 1898 (confirmed by the Board of Trade on the 13th day of February, 1899), and the Barking Light Railways (Extensions) Order, 1902 (confirmed by the Board of Trade on the 26th day of March, 1903), with respect to the use of electrical power on the overhead trolley system on all or any of the railways on which the use of mechanical power has been authorized by the said Orders and on which the use of such power has been authorized (hereinafter called "the railways").

Speed. The speed at which the carriages shall be driven or propelled along the railways shall not exceed the rate of :—

Twelve miles an hour—

In Longbridge Road and East Street between Fanshawe Avenue and Ripple Road.

Six miles an hour—

In Axe Street and Broadway between Gascoigne Road and East Street.

This regulation shall be read with the regulations made under the above-mentioned Orders of 1898 and 1903 on the 30th day of January, 1906.

Signed by order of the Board of Trade, this 12th day of September, 1907.

S.R. & O., 1912, No. 397.

REGULATIONS, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE BARKING TOWN URBAN DISTRICT COUNCIL LIGHT RAILWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by the Barking and Beckton Light Railways Order, 1898, and the Barking Light Railways (Extensions) Order, 1903, with respect to the use of electrical power on the overhead trolley system on all or any of the railways on which the use of mechanical power has been authorized by the said Orders and on which the use of such power has been authorized (hereinafter called "the railways").

Disabled
carriages.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage and not pushed or driven from the rear end.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage, and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the Barking Town Urban District Council and given by the front driver.

VII. A printed copy of these regulations shall be kept in a conspicuous position inside of each carriage in use on the railways.

Penalty.

NOTE.—The Barking Town Urban District Council or any company or person using electrical power on the railways contrary to any of the above Regulations I to VI inclusive is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof, and any person offending against or committing a breach of Regulation VII is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts with respect to the recovery of penalties are applicable to the penalties for the breach of these regulations. Signed by order of the Board of Trade, this 9th day of April, 1912.

BYE-LAWS MADE BY THE URBAN DISTRICT COUNCIL OF BARKING TOWN, IN THE COUNTY OF ESSEX, WITH RESPECT TO LIGHT RAILWAYS WITHIN THE URBAN DISTRICT OF BARKING TOWN, PURSUANT TO THE POWERS CONFERRED UPON THEM BY THE RAILWAY CLAUSES CONSOLIDATION ACT, 1845, SECTIONS 108 AND 109 (INCORPORATED WITH THE BARKING AND BECKTON LIGHT RAILWAYS ORDER, 1898).

1. Throughout these bye-laws the word "Council" means the Urban District Council of Barking Town, and shall include any lessees or persons for the time being working the light railway system hereinafter referred to or any portion thereof; the word "tramways" means the tramway or light railway system worked by the Council either within its own boundaries or within any other area over which the Council has running powers; the word "car" means any carriage or car run by the Council upon the tramways for the conveyance of passengers; the word "conductor" means any officer or servant of the Council having charge of or helping in the charge of a car, and the word "driver" means any officer or servant of the Council driving or assisting to drive a car. Interpretation.
2. Any person infringing any of the following bye-laws shall be liable to a penalty of not exceeding forty shillings (40s.), and in case of a continuing offence to a penalty of not exceeding ten shillings, in addition to the first-mentioned penalty, for every day during which such offence continues. Penalty.
3. No person shall swear or use obscene or offensive language or conduct himself offensively whilst in or upon any car, or spit, or commit any nuisance in or upon or against any car or tramway station, or premises used in connection with the tramway system, or in any way wilfully interfere with the comfort of any passenger. No person shall sing, or play, or perform upon any musical instrument, or distribute advertisements, pamphlets, notices, handbills, or tracts of any kind, or beg or collect money, alms, or subscriptions, or sell or attempt to sell any article, or play any game, or gamble, or paste notices or handbills, or deposit remnants of food or fruit in or upon any car. Offensive language or conduct.
4. Any person who is in a state of intoxication, or who from that or any other cause is, in the opinion of the conductor, unfit to be a passenger on a car, shall not be allowed to board or enter upon any car, and if any such person be found in or upon any car, he shall be requested by the conductor to leave the car, failing which, it shall be lawful for the conductor or any other officer or servant of the council to remove such person from the car. Any person whose dress or clothing might, in the opinion of the conductor, soil or injure the linings or cushions of a car, or the dress or clothing of any passenger, shall not be entitled to enter or remain in a car. Provided that on cars especially run for artisans, mechanics, and daily labourers, no person shall be prevented from entering or remaining in a car, under the provisions of this bye-law, on the ground of the condition of his dress or clothing, if such condition is solely due to the nature of his employment. Objectionable persons.
5. No person shall take a dog or other animal into or upon any car except by the permission of the conductor, nor in any case in which the conveyance of such dog or other animal might be offensive or any annoyance to passengers. Any dog or other animal taken into or found in or upon any car shall be removed by the person in charge thereof from the car immediately upon request by the conductor. Dogs, &c.

Damaging cars.

6. No person shall wilfully cut, tear, soil, or damage the seats, cushions, curtains, or linings, or remove or deface any number plate, printed or other notice, in or on any car, or break or scratch any window of, or otherwise wilfully damage any car. Any person acting in contravention of this regulation shall be liable in addition to the penalty prescribed by these bye-laws, for the amount of any damage so done.

Smoking.

7. No person shall smoke or carry a lighted pipe, cigar, or cigarette in or upon any car, except on such seats outside the car as may be specially set apart for persons smoking or desirous of so doing.

Payment of fares.

8. Each passenger shall, before leaving the car, or immediately upon demand by the conductor, if such demand shall be first made, pay to the conductor the fare legally payable for his journey and obtain a ticket therefor. Any person leaving a car shall be deemed to have completed his journey.

No child under five years of age who is sitting on the lap of a passenger shall be liable to pay a fare.

Tickets.

9. Each passenger shall, immediately upon demand, produce and hand his ticket to any duly authorized officer or servant of the Council, and shall also, when required so to do, either deliver up his ticket or pay the fare for the distance travelled over by such passenger.

Tickets shall not be transferable and shall be available only by the car on which they are issued.

Interference with or obstruction to conductor, driver, or other servant.

10. No person other than the conductor or driver shall change or remove the route indicators or destination boards, or interfere with the controllers, brakes, lights, ventilators, trolley cord, or any part of a car, or its equipment, or any switch or point connected with the tramway track, or any frog-rope or other appliance or attachment to the equipment of the tramways, or signal a car to start.

No passenger or other person shall wilfully obstruct or impede any officer or servant of the Council in the execution of his duty upon or in any car or tramway of the Council.

Luggage.

11. No luggage which, in the opinion of the conductor, from its size or otherwise, is unsuitable for conveyance in or upon a car shall be taken in or upon such car. Any personal luggage carried by passengers or the tools of artisans, mechanics, or daily labourers shall be placed on the front or driver's platform unless otherwise permitted by the conductor, and if placed on the platform of the car shall be carried at the owner's risk. No package or luggage of any description, unaccompanied by a passenger, shall be conveyed upon any car, except under any regulations or restrictions which the Council may adopt.

Entering full cars.

12. When any car, or the inside or outside of a car, or any compartment of a car contains the full number of passengers which it is licensed to carry, no additional person shall enter, board, or remain in or upon any such car or portion of such car. The conductor shall not permit any person beyond the licensed number of passengers to enter, board, or remain in or upon any part of a car. All such persons shall leave the car immediately upon the request of the conductor.

Disabled cars.

13. If at any time a car becomes disabled, or in any way injured, or from any cause unable to proceed, the passengers shall, upon the request of the conductor, leave the same, and, if such passengers have paid their fares, shall not be entitled to demand back the amount of their fares so paid. No person shall, except with the leave of the conductor, enter a disabled or injured car.

Travelling on steps, &c.

14. No passenger or other person, not being an officer or servant of the Council, shall be permitted to travel on the steps or platforms of any car or stand either on the roof or, except in accordance with the regulations of the Council exhibited upon such car, in the interior, or sit on the outside rail on the roof of any car and shall cease to do so immediately on request by the conductor.

No person except a passenger or intending passenger shall enter or board a car, and no person shall hold or hang on by or to any part of a car.

Firearms, &c.

15. No person shall travel in or on any car with loaded firearms, or dangerous or offensive articles, instruments, tools, or implements.

Entering and leaving cars.

16. Every person shall enter or depart from a car by the step of the hindmost or conductor's platform, and not otherwise, unless so directed by the conductor.

All persons desiring to alight from any car shall do so before any person boards the car for the purpose of travelling thereon, and all persons desiring to board the car shall permit such persons to alight as aforesaid.

Entering a car when in motion.

17. No person shall enter, board, or leave, or attempt to enter, board, or leave any car whilst in motion.

18. No person afflicted with any infectious or contagious disease shall board, enter, or travel on any car, or attempt so to do. And no driver or conductor shall suffer or permit any such person so to do.

Persons suffering from disease not to travel on cars.

19. Any person who shall commit, whilst on any car, any legal offence, or any breach of these bye-laws, shall, in addition to being liable to a penalty, be liable to be immediately removed from the car, and, if such person shall have paid his fare, shall not be entitled to demand back the amount of his fare so paid.

Power to remove passengers committing offence.

20. There shall be placed and kept placed in a conspicuous position in each car in use on the tramways a printed copy of these bye-laws.

Copy of bye-laws in each car.

21. From and after the date of the confirmation of these bye-laws, the bye-laws relating to light railways within the Urban District of Barking Town, made by the Urban District Council of Barking Town on the 26th day of May, 1903, and approved by the Board of Trade on the 30th day of May, 1903, shall be repealed.

Repeal of bye-laws.

The Common Seal of the Urban District Council of Barking Town was hereunto affixed this 23rd day of July, 1907.

The Board of Trade hereby signify their allowance and approval of the above bye-laws and regulations.

Signed by order of the Board of Trade this 19th day of September, 1907.

Board of Trade Regulations.

The speed limit, under the Board of Trade Regulations, is *twelve* miles an hour in London Road from the Boundary to North Street; *ten* miles an hour in East Street and North Street; and *four* miles an hour on all curves of 66 feet or less radius. At all other places *eight* miles an hour. The compulsory stops are on the approach to curve either way at the corner of East Street and North Street, known as the "Bull" Corner.

Speed limits.

BEXLEY URBAN DISTRICT COUNCIL TRAMWAYS.

S.R. & O., 1914, No. 136.

REGULATIONS AND BYE-LAWS, DATED 29TH JANUARY, 1914, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER ON THE BEXLEY URBAN DISTRICT COUNCIL TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on all or any of the tramways on which the use of mechanical power has been authorized by the Bexley Tramways Act, 1901 (hereinafter called "the tramways").

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on all or any of such tramways.

The Order of the Board of Trade in this behalf, dated the 31st day of December, 1903, is hereby rescinded.

Regulations.

I. Every motor carriage used on the tramways shall comply with the following requirements, that is to say:—

Requirements of carriages.

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw, or by other means, and there shall be in addition an adequate electric brake and a slipper brake or other track brake approved by the Board of Trade for use on the tramways.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the tramways without the consent of the Board of Trade except

- (a) in the case of the removal of a disabled carriage,
- (b) for the conveyance of salt, sand, and other materials or stores for the purposes of the tramways undertaking.

When trailer carriages are used for the conveyance of salt, &c., under (b) the following requirements shall be complied with :—

- (1) More than one trailer carriage shall not be attached to any motor carriage.
- (2) No passengers shall be carried in any motor carriage to which a trailer carriage is attached.
- (3) The trailer carriage shall be fitted with efficient brakes and there shall be a man on the trailer carriage to attend to the brakes.

III. Every carriage used on the tramways for the conveyance of passengers shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. Every carriage on the tramways or where two carriages are coupled together the foremost carriage shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every carriage or where two carriages are coupled together the rear carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

V. The speed at which the carriages shall be driven or propelled along the tramways shall not exceed the rate of—

Sixteen miles an hour—

- (a) In Erith Road between May Place Road and the railway bridge.
- (b) In Broadway, Crook Log and Park View Road between Erith Road and "Guy, Earl of Warwick" Tavern, Welling.
- (c) In Upper Wickham Lane between the north side of the railway over-bridge and East Wickham Church gateway.
- (d) In Wickham Lane between the "Foresters" Arms and the curve at the junction of Wickham Lane and High Street, Plumstead.

Six miles an hour—

In Erith Road, from the railway bridge to Courtleet Bottom, on the outward journey.

Four miles an hour—

- (a) Through facing points, whether fixed or movable.
- (b) In Erith Road, from Pole No. 232 to Courtleet Bottom, on the inward journey.
- (c) On the curve between the Erith Road and May Place Road.
- (d) In Wickham Lane, from the Wickham Church gateway to the termination of the double line at the bottom of Wickham Hill, on the descending journey.
- (e) On the curve between Dover Road and Wickham Lane.
- (f) On the curve between Wickham Lane and High Street, Plumstead.

At all other places the speed shall not exceed the rate of *twelve miles an hour*.

Electrical
apparatus.

VI. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the tramways and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe.

VII. The overhead conductors used in connection with the working of the tramways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 20 feet, except where they pass under railway bridges.

At the railway bridge over Wickham Lane conspicuous notices shall be attached to the bridge or adjoining posts warning the public not to touch the wires, and the conductor of each carriage shall be on the top of the carriage when passing under the bridge to warn outside passengers to keep their seats.

VIII. The positive conductor shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so inclosed as to be inaccessible to pedestrians.

IX. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

X. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XI. The trolley standard of every double-deck carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the

possibility of the standard becoming electrically charged from any defect in the conductors contained within it or in the event of the standard becoming electrically charged to give a distinctive and continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the upper deck of a carriage as long as there is risk of electric shock.

[NOTE.—This regulation will not apply to the trolley base on the top cover of double-deck carriages.]

XII. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XIII. If and whenever telegraph, telephone, or other wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the tramways, efficient guard wires shall be erected and maintained at all such places.

XIV. Every guard wire shall be bonded to the rails through its support at each end and at intervals of not more than five spans.

XV. After the date of these regulations no gas-lamp bracket shall be attached to any pole unless triple insulation is provided between the pole and the overhead conductors.

XVI. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the tramways, immediate notice thereof shall be given to the Board of Trade. Accidents.

Penalty.

NOTE.—The Bexley Urban District Council or any company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-laws.

I. The special bell shall be sounded by the driver of the carriage whenever necessary as a warning.

II. The entrance to and exit from the carriages shall be by the hindermost or conductor's platform except at a terminus when the carriages are stationary. Provided that this bye-law shall not apply to carriages approved by the Board of Trade with one man only in charge.

III. The carriages on the tramways shall be brought to a standstill as soon as possible whenever it is necessary to avoid impending danger and on all occasions immediately before reaching the following points:—

(a) In Erith Road—

(1) At Pole No. 232 before descending the gradient to Courtleet Bottom.

(2) Before turning into May Place Road.

(b) In Wickham Lane, at Wickham Church gateway, before descending the gradient towards Plumstead.

IV. A printed copy of these regulations and bye-laws shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or bye-laws.

Signed by order of the Board of Trade, this 29th day of January, 1914.

S.R. & O., 1912, No. 387.

REGULATIONS AND BYE-LAWS, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE BEXLEY URBAN DISTRICT COUNCIL TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley

system on all or any of the tramways on which the use of mechanical power has been authorized by the Bexley Tramways Act, 1901 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-law with regard to the use of electrical power on all or any of such tramways.

Regulations.

Disabled
carriages.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage and not pushed or driven from the rear end.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end, both lower doors of the carriage shall be open and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the Bexley Urban District Council and given by the front driver.

Penalty.

NOTE.—The Bexley Urban District Council or any company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-law.

A printed copy of these regulations and this bye-law shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of this bye-law is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or this bye-law.

Signed by order of the Board of Trade, this 9th day of April, 1912.

BYE-LAWS AND REGULATIONS MADE BY THE BEXLEY URBAN DISTRICT COUNCIL, UNDER THE BEXLEY TRAMWAYS ACT, 1901, AND THE ACTS INCORPORATED THEREWITH.

Notice is hereby given that the following bye-laws and regulations have been made by the Bexley Urban District Council under the powers conferred on the Council by the Bexley Tramways Act, 1901, and the Tramways Act, 1870, and all other Acts having reference thereto and incorporated therewith, for regulating the travelling in or upon any carriage belonging to the Council:—

I. The bye-laws and regulations hereinafter set forth shall extend and apply to all carriages of the Council and to all places with respect to which the council have power to make bye-laws or regulations.

II. Every passenger shall enter or depart from a carriage by the hindermost or conductor's platform, and not otherwise.

III. No passenger or other person shall while travelling in or upon any carriage play or perform upon any musical instrument.

Musical
instrument.

IV. A person in a state of intoxication shall not be allowed to enter or mount upon any carriage, and if found in or upon any carriage shall be immediately removed by or under the direction of the conductor. Intoxicated persons.

V. No person shall swear or use obscene or offensive language whilst in or upon any carriage, or commit any nuisance in or upon or against any carriage, or spit in or upon any carriage, or wilfully interfere with the comfort of any passenger. Bad language, &c.

VI. No person shall wilfully cut, tear, soil, or damage the cushions or the linings or remove or deface any number, plate, printed, or other notice in or on the carriage or break or scratch any window of, or otherwise wilfully damage any carriage. Any person acting in contravention of this regulation shall be liable to the penalty prescribed by these bye-laws and regulations, in addition to the liability to pay the amount of any damage done. Committing damage.

VII. A person whose dress or clothing might, in the opinion of the conductor of a carriage, soil or injure the linings or cushions of the carriage, or the dress or clothing of any passenger, or a person who, in the opinion of the conductor, might for any other reason be offensive to passengers shall not be entitled to enter or remain in the interior of any carriage, and may be prevented from entering the interior of any carriage, and shall not enter the interior of any carriage, after having been requested not to do so by the conductor, and, if found in the interior of any carriage, shall, on the request of the conductor, leave the interior of the carriage upon the fare, if previously paid, being returned.

VIII. Every passenger shall, upon demand, pay to the conductor or other duly authorized officer of the Council the fare legally demandable for the journey, and a ticket corresponding thereto shall be delivered to such passenger by the conductor, and such passenger shall accept and retain such ticket, until demanded previous to or at the end of the journey. Payment of fares.

IX. Every passenger shall show his ticket (if any) to the conductor, or any duly authorized officer of the Council, when required by him so to do. Any passenger failing or refusing to accept or retain or to show his ticket as aforesaid shall be required to pay the fare legally demandable for the distance travelled over by such passenger, and, in default of showing such ticket, or of payment of such fare, shall be liable to the penalty prescribed by these bye-laws. Tickets.

X. A passenger not being an artizan, mechanic, or daily labourer within the true intent and meaning of the Acts of Parliament relating to the Bexley Council Tramways, shall not use or attempt to use any ticket intended only for such artizans, mechanics, or daily labourers.

XI. Personal and other luggage (including the tools of artizans, mechanics, and daily labourers) shall, unless otherwise permitted by the conductor, be placed on the front, or driver's platform, and not in the interior or on the roof of any carriage. Luggage.

XII. No passenger or other person not being a servant of the Council shall be permitted to travel on the steps or platform of any carriage or stand on the roof, or sit on the outside rail on the roof of any carriage. Travelling on steps.

XIII. No person except a passenger or intending passenger shall enter or mount upon any carriage, and no person shall hold or hang on by, or to any part of any carriage, or without the consent of the conductor travel therein otherwise than on a seat provided for passengers.

XIV. When any carriage contains the full number of passengers which it is licensed to contain, no additional person shall enter, mount, or remain in or upon any such carriage when warned by the conductor not to do so. Excess passengers.

XV. When a carriage contains the full licensed number of passengers, a notice to that effect shall be placed in conspicuous letters and in a conspicuous position on the carriage.

XVI. No person shall enter, or mount, or leave, or attempt to enter, or mount or leave any carriage whilst in motion.

XVII. No dog or other animal shall be allowed in or upon any carriage except by permission of the conductor, nor in any case in which the conveyance of such dog or other animal might be offensive or an annoyance to passengers. No person shall take a dog or other animal into any carriage after having been requested not to do so by the conductor. Any dog or other animal taken into or upon any carriage in breach of this regulation shall be removed by the person in charge of such dog or other animal from the carriage immediately upon request by the conductor, and in default of compliance with such request may be removed by or under the direction of the conductor, or other duly authorized servant of the Council. Dogs.

XVIII. No person shall travel in or upon any carriage of the Council with loaded firearms. Firearms.

Obstruction. XIX. No passenger shall wilfully obstruct or impede any officer or servant of the Council in the execution of his duty upon or in connection with any carriage or tramway of the Council.

Smoking. XX. No passenger shall smoke or carry lighted pipes, cigars, or cigarettes either inside or on the platform of any carriage nor on that part of the top of a car which may be reserved for non-smokers.

XXI. No person shall pull or sound the signal bells provided for use by the Council's servants, or handle or otherwise interfere with the controller, brakes, trolley pole, wires, or other electric or working gear of the carriage, or of the electric equipment of the tramways.

XXII. The conductor of each carriage shall enforce or prevent the breach of these bye-laws or regulations to the best of his ability.

XXIII. The expression "conductor" shall include any officer or servant in the employ of the Council and having charge of a carriage.

XXIV. There shall be placed and kept placed in a conspicuous position inside of each carriage in use, a printed copy of these bye-laws and regulations.

XXV. Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for breach of these regulations or bye-laws.

XXVI. These bye-laws shall come into force on the 31st day of May, 1905.

Given under the Common Seal of the Urban District Council of Bexley, this 15th day of March in the year one thousand nine hundred and five.

Certified by Board of Trade, 30th May, 1905.

CROYDON CORPORATION TRAMWAYS.

S.R. & O., 1909, No. 672.

REGULATIONS AND BYE-LAWS, DATED 9TH JUNE, 1909, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE CROYDON CORPORATION TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the Croydon Corporation Act, 1900, the Croydon and District Electric Tramways Act, 1902, and the Croydon Corporation Act, 1905 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on all or any of such tramways.

The Order of the Board of Trade in this behalf, dated the 22nd day of February, 1907, is hereby rescinded.

Regulations.

Require-
ments of
carriages.

I. Every motor carriage used on the tramways shall comply with the following requirements, that is to say:—

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailing carriage shall be used on the tramways except in the case of the removal of a disabled carriage.

III. Every carriage used on the tramways shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in, such carriage.

IV. Every carriage on the tramways shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every such carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

V. The speed at which the carriages shall be driven or propelled along the tramways shall not exceed the rate of:—

Sixteen miles an hour—

- (a) In London Road between St. Helen's Road and Cambridge Road.
- (b) In Brighton Road between Sanderstead Road and the terminus at Purley.

Twelve miles an hour—

- (a) In London Road between the terminus at Norbury and St. Helen's Road.
- (b) In London Road between Cambridge Road and Oakfield Road.
- (c) In Southend and Brighton Road between Aberdeen Road and Sanderstead Road.
- (d) In Whitehorse Road except from the top of Whitehorse Road Bridge to Pawson's Road and Zion Place, respectively, on the downward journey, where the speed shall not exceed the rate of *eight miles an hour*.

Ten miles an hour—

In Lower Addiscombe Road, between the terminus at Ashburton Road and Cherry Orchard Road.

Six miles an hour—

In South End and High Street, from Aberdeen Road to Katharine Street.

Four miles an hour—

- (a) Through facing points, whether fixed or movable.
- (b) On the curve between Addiscombe Road and Cherry Orchard Road.
- (c) On the curve between George Street and North End.
- (d) On the curves at the junction of Whitehorse Road and Northcote Road.
- (e) On the curve between Whitehorse Road and St. James Road.
- (f) On the curve between St. James Road and Oakfield Road.
- (g) On the curve between Oakfield Road and London Road.
- (h) On the curve between London Road and Station Road.
- (i) On the curve between Station Road and Wellesley Road.
- (j) On the curve in Station Road, opposite St. Michael's Road.
- (k) On the curve between Wellesley Road and Whitehorse Road.
- (l) In High Street (South Norwood), on the downward journey, between Goathouse Bridge and the commencement of the single line.

And at all other places the speed shall not exceed the rate of *eight miles an hour*.

VI. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the tramways and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board, of Trade, and subject to such regulations and conditions as they may prescribe.

VII. The overhead conductors used in connection with the working of the tramways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 20 feet, except where they pass under railway bridges.

VIII. The overhead conductors shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so inclosed as to be inaccessible to pedestrians.

IX. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

X. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XI. The trolley standard of every double-deck carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of the standard becoming electrically charged from any defect in the conductors contained within it or in the event of the standard becoming electrically charged to give a distinctive and continuous warning signal to the driver

Electrical apparatus.

or conductor. No passenger shall be allowed to travel on the upper deck of a carriage as long as there is risk of electric shock.

XII. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XIII. If and whenever telegraph or telephone wires, unprotected with a permanent insulating covering, cross-above, or are liable to fall upon, or to be blown on to, the overhead conductors of the tramways, efficient guard wires shall be erected and maintained at all such places.

Accidents.

XIV. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life, or personal injury, has occurred in connection with the electric working of the tramways, immediate notice thereof shall be given to the Board of Trade.

Penalty.

NOTE.—The Croydon Corporation or any company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-laws.

I. The entrance to and exit from the carriages shall be by the hindmost or conductor's platform except at a terminus when the carriages are stationary. Provided that this bye-law shall not apply to carriages approved by the Board of Trade with one man only in charge.

II. The carriages shall be brought to a standstill whenever it is necessary to avoid impending danger, and immediately before reaching the following points:—

- (a) In Brighton Road, at its junction with Sanderstead Road.
- (b) In South End—
 - (1) Just south of its junction with Aberdeen Road.
 - (2) At Upper and Lower Coombe Streets.
- (c) In High Street and North End, at George Street.
- (d) In North End, at Tamworth Road, on the northward journey.
- (e) In London Road, at the entrance to the up-side of the West Croydon Railway Station, on the southward journey.
- (f) The junction of London Road and Brigstock Road.
- (g) In London Road, at Cambridge Road, on the southward journey.
- (h) The junction of George Street and North End.
- (i) In Oakfield Road before entering London Road.
- (j) In Whitehorse Road at The Crescent.

III. A printed copy of these regulations and bye-laws shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or bye-laws.

Signed by order of the Board of Trade, this 9th day of June, 1909.

S.R. & O., 1910, No. 196.

BYE-LAW, DATED 16TH FEBRUARY, 1910, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE CROYDON CORPORATION TRAMWAYS VARYING THE REGULATIONS AND BYE-LAWS, DATED 9TH JUNE, 1909.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following bye-law for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the Croydon Corporation Act, 1900 (hereinafter called "the tramways.")

Bye-law.

Notwithstanding anything contained in Bye-law II of the regulations and bye-laws dated 9th June, 1909, it shall not be necessary on Sundays or after 10.30 a.m. on other days, for the carriages running on the tramways to be brought to a standstill in London Road, at the entrance to the up side of the West Croydon Railway Station, on the southward journey, unless to avoid impending danger.

This bye-law shall be read with the regulations and bye-laws made by the Board of Trade for the Croydon Corporation Tramways on the 9th day of June, 1909.

Signed by order of the Board of Trade, this 16th day of February, 1910.

S.R. & O., 1912, No. 389.

REGULATIONS AND BYE-LAW, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE CROYDON CORPORATION TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the Croydon Corporation Act, 1900, the Croydon and District Electric Tramways Act, 1902, and the Croydon Corporation Act, 1905 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-law with regard to the use of electrical power on all or any of such tramways.

Regulations.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage and not pushed or driven from the rear end. Disabled carriages.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than 6 miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the Croydon Corporation and given by the front driver.

Penalty.

NOTE.—The Croydon Corporation or any company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-law.

A printed copy of these regulations and this bye-law shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of this bye-law is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or this bye-law.

Signed by order of the Board of Trade, this 9th day of April, 1912.

BYE-LAWS AND REGULATIONS MADE THIS 13TH DAY OF JANUARY, 1902, BY THE MAYOR, ALDERMEN, AND BURGESSES OF THE COUNTY BOROUGH OF CROYDON, UNDER THE POWERS CONFERRED BY THE CROYDON CORPORATION ACT, 1900, AND THE TRAMWAYS ACT, 1870.

1. The bye-laws and regulations hereinafter set forth shall apply to all carriages used on the tramways, and to all places with respect to which the Corporation, as the promoters of any tramway, now have or at any time hereinafter may have power to make bye-laws and regulations.

2. For the purpose of these bye-laws and regulations the term "the Corporation" shall mean the Mayor, Aldermen, and Burgesses of the County Borough of Croydon, the term "the Borough" shall mean the County Borough of Croydon, the term "carriage" shall mean any engine, car, or carriage using any tramway laid down within the said Borough, the terms "driver" and "conductor" shall respectively mean the driver and conductor or other person having charge of an engine, car, or carriage, and the term "tramways" shall include all tramways now or hereafter constructed by the said Mayor, Aldermen, and Burgesses within the Borough. The word "lessees" shall mean the persons, corporation or company to whom in accordance with the statutory provisions in that behalf the Corporation may have demised or granted the right of user of the tramways, and in demanding or taking in respect of the same the authorized tolls.

3. The driver or conductor of a carriage shall stop the same at any of the stopping-places which may from time to time be appointed by the Corporation or its lessees for the purpose of setting down or taking up passengers when required by any passenger desiring to leave the carriage, or by any person desirous of travelling by the carriage, for whom there is room, and to whose admission no valid objection can be made.

4. The driver of a carriage, on coming in sight of a vehicle standing or travelling on any part of the road so as not to leave sufficient space for the carriage to pass, shall sound his bell or whistle as a warning to the person in charge of such vehicle, and that person shall, with reasonable despatch, cause such vehicle to be removed so as not to obstruct the carriage.

5. No person shall in any way wilfully impede or interfere with the traffic on the tramway, nor shall any driver or conductor needlessly cause interruption to the ordinary road traffic.

6. Every passenger shall enter or depart from a carriage by the hindermost or "conductor's" platform, and not otherwise.

7. No person shall smoke inside any carriage.

8. No person shall expectorate inside or outside any carriage.

9. No passenger or other person shall, while travelling in or upon any carriage, play or perform on any musical instrument.

10. A person in a state of intoxication or affected with any infectious or contagious disease shall not be allowed to enter or mount upon any carriage, and if found in or upon any carriage shall be immediately removed by or under the direction of the conductor.

11. No person shall swear or use obscene or offensive language whilst in or upon any carriage, or commit any nuisance in or upon or against any carriage, or wilfully interfere with the comfort of any passenger.

12. No person shall wilfully cut, tear, soil, or damage the seats, cushions, linings, or other fittings of any carriage, or remove or deface any number plate, printed, painted, or other notice, or break or scratch any window of, or otherwise wilfully damage any carriage, and no person, not being a servant of the Corpora-

Stopping-places.

Driving.

Obstruction

Nuisances.

Damage.

tion or its lessees duly authorized in that behalf, shall touch, handle, or interfere with any electric machine or appliance in, under, upon, or about any carriage (except electric bells provided for the use of passengers). Any person acting in contravention of this regulation shall be liable to the penalty prescribed by these bye-laws and regulations in addition to the liability to pay the amount of any damage done.

13. A person whose dress or clothing might, in the opinion of the conductor of a carriage, soil or injure the linings or cushions of the carriage or the dress or clothing of any passenger, or a person who, in the opinion of the conductor, might for any other reason be offensive to passengers, shall not be entitled to enter or remain in the interior of any carriage; and may be prevented from entering the interior of any carriage, and shall not enter the interior of any carriage after having been requested not to do so by the conductor; and if found in the interior of any carriage shall, on the request of the conductor leave the interior of the carriage, upon the fare, if previously paid, being returned.

14. Each passenger shall, upon demand, pay to the conductor, or other duly authorized officer of the Corporation or its lessees, the fare legally demandable for the journey. Fares.

15. Each passenger shall show his ticket (if any) when required so to do to the conductor or any duly authorized servant of the Corporation or its lessees, and shall also, when required so to do, either deliver up his ticket or pay, the fare legally demandable for the distance travelled over by such passenger. Tickets.

16. Any ticket for the time being issued by the Corporation or its lessees in respect of fares shall be available only for the carriage on or for which it is issued (except in the case of transfer or season tickets), and no passenger shall be entitled to leave any carriage for any purpose whatever at any stage and resume his journey by a different carriage to that on or for which such ticket was issued without the payment of a fresh fare from the point at which the passenger entered the second or other carriage.

17. Personal luggage not exceeding 28 lb. in weight (including the tools of artizans, mechanics, and daily labourers) may be carried by hand, or, unless otherwise permitted by the conductor, shall be placed on the front or driver's platform. The conductor may decline to take into or upon the carriage, any luggage of a form or description calculated to annoy or inconvenience any passenger. Luggage.

18. [Repealed, see p. 324.]

19. [Repealed, see p. 324.]

20. When any carriage contains the full number of passengers which it is authorized to contain, no additional person shall enter, mount, or remain in or on any such carriage after being warned by the conductor not to do so. Excess passengers.

21. When a carriage contains the full authorized number of passengers, a notice to the effect shall be placed in conspicuous letters in a conspicuous position on the carriage.

22. [Repealed, see p. 324.]

23. No person shall enter, mount, or leave, or attempt to enter, mount, or leave, any carriage whilst in motion.

24. [Repealed, see p. 324.]

25. No person shall enter, get upon, or travel in or on any carriage with loaded firearms, or with any article, instrument, or implement which may be dangerous or offensive to any passenger. Firearms.

26. No passenger shall wilfully obstruct or impede any officer or servant of the Corporation or its lessees in the execution of his duty upon or in connection with any carriage or tramway of the Corporation. Obstruction.

27. The conductor of each carriage shall enforce or prevent the breach of these bye-laws and regulations to the best of his ability.

28. Any person offending against or committing a breach of any of these bye-laws or regulations shall be liable to a penalty not exceeding forty shillings.

29. There shall be placed and kept in a conspicuous position inside of each carriage in use a printed copy of these bye-laws and regulations.

30. These bye-laws shall come into force on the 1st day of April, 1902.

Certified by Board of Trade, 20th March, 1902.

ADDITIONAL BYE-LAWS AND REGULATIONS MADE THIS 13TH DAY OF JUNE, 1904, BY THE MAYOR, ALDERMEN, AND BURGESSES OF THE COUNTY BOROUGH OF CROYDON, UNDER THE POWERS CONFERRED BY THE CROYDON CORPORATION ACT, 1900, AND THE TRAMWAYS ACT, 1870.

Application
of bye-laws.

1. The bye-laws and regulations hereinafter set forth shall apply to all carriages used on the tramways, and to all places with respect to which the Corporation, as the promoters of any tramway, now have or at any time hereafter may have power to make bye-laws and regulations.

Interpreta-
tion of
terms.

2. For the purpose of these bye-laws and regulations the terms "Corporation," "conductor," and "lessees" shall have the same meaning as the terms contained in the bye-laws and regulations made by the Corporation on the 13th day of January, 1902.

Rail, plat-
form, and
steps.

3. No passenger or other person, not being a servant of the Corporation or its lessees, shall be permitted to travel on the steps or driver's platform of any carriage, or stand on the roof, or sit on the outside rail on the roof or platform of any carriage, and shall cease to do so immediately on request by the conductor.

Passengers
only.
Entering
full cars.

4. No person except a passenger or intending passenger shall enter or mount any carriage, and no person shall hold or hang on by or to any part of any carriage.

5. When any car contains in the interior thereof the full number of passengers for which seating accommodation is provided in such interior, no additional person shall enter by coming in the interior of such car except by the express permission of the conductor first obtained.

Breach of
bye-laws.
Penalty.

6. The conductor of each carriage shall enforce or prevent the breach of these bye-laws and regulations to the best of his ability.

7. Any person offending against or committing a breach of any of these bye-laws or regulations shall be liable to a penalty not exceeding forty shillings.

8. There shall be placed and kept in a conspicuous position, inside of each carriage in use, a printed copy of these bye-laws and regulations.

9. From and after the date of these bye-laws and regulations coming into operation, Bye-laws and Regulations Nos. 18, 19, and 22, of the said bye-laws and regulations made by the Corporation on the 13th day of January, 1902, shall be repealed.

10. These bye-laws and regulations shall come into force on the 12th day of September, 1904.

Certified by Board of Trade, 2nd September, 1904.

ADDITIONAL BYE-LAWS AND REGULATIONS MADE THIS 23RD DAY OF SEPTEMBER, 1907, BY THE MAYOR, ALDERMEN, AND BURGESSES OF THE COUNTY BOROUGH OF CROYDON, UNDER THE POWERS CONFERRED BY THE CROYDON CORPORATION ACT, 1900, AND THE TRAMWAYS ACT, 1870.

1. The bye-laws and regulations hereinafter set forth shall apply to all carriages used on the tramways, and to all places with respect to which the Corporation, as the promoters of any tramway, now have or at any time hereafter may have power to make bye-laws and regulations.

2. For the purpose of these bye-laws and regulations the term "conductor" shall have the same meaning as the term contained in the bye-laws and regulations made by the Corporation on the 13th day of January, 1902.

Carriage of
dogs, &c.

3. No dog or other animal shall be allowed inside any carriage. Dogs, or other animals, which, in the opinion of the conductor, are not too large, or likely to be offensive or an annoyance to any passenger, shall be allowed on the outside of cars at the conductor's discretion, and must be either carried or on leash. Dogs, or other animals, must be accompanied by a passenger. In the event of any dog, or other animal, being objectionable or an annoyance to passengers, it shall be removed by the person in charge of such dog or other animal, at the request of the conductor, and in default of compliance with such request, it may be removed by or under the direction of the conductor.

Breach of
bye-laws.
Penalty.

4. The conductor of each carriage shall enforce or prevent the breach of these bye-laws and regulations to the best of his ability.

5. Any person offending against or committing a breach of any of these bye-laws and regulations shall be liable to a penalty not exceeding forty shillings.

6. There shall be placed and kept in a conspicuous position, inside of each carriage in use, a printed copy of these bye-laws and regulations.

7. From and after the date of these bye-laws and regulations coming into force, Bye-law and Regulation No. 24, of the said bye-laws and regulations made by the Corporation on the 13th day of January, 1902, shall be repealed.

8. These bye-laws and regulations shall come into force on the 23rd day of December, 1907.

Certified by Board of Trade, 11th December, 1907.

CROYDON AND DISTRICT TRAMWAYS.

S.R. & O., 1908, No. 543.

REGULATIONS AND BYE-LAWS, DATED 8TH JULY, 1908, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE CROYDON AND DISTRICT TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the Croydon and District Electric Tramways Act, 1902, and the Croydon and District Electric Tramways (Extensions) Act, 1903 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on all or any of such tramways.

The Orders of the Board of Trade in this behalf, dated the 10th day of August, 1906, and the 2nd day of April, 1907, are hereby rescinded.

Regulations.

I. Every motor carriage used on the tramways shall comply with the following requirements, that is to say:—

Require-
ments of
carriages.

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake.

The carriages used on the Anerley Road section shall also be fitted with a slipper brake or other track brake approved by the Board of Trade for use on the tramways.

- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the tramways except in the case of the removal of a disabled carriage.

III. Every carriage used on the tramways shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. Every carriage on the tramways shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every such carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

V. The speed at which the carriages shall be driven or propelled along the tramways shall not exceed the rate of:—

Sixteen miles an hour—

- (1) Along Stafford Road, between Sandy Lane and Coldharbour Lane.
- (2) Along Ruskin Road, between Park Lane and the Carshalton Park Road.

Fourteen miles an hour—

- (1) Along the Anerley Road, between the Town Hall and the Croydon Road.
- (2) Along Mitcham Road.
- (3) Along Stafford Road, between the Epsom Road and Coldharbour Lane.

Ten miles an hour—

- (1) Along Anerley Road, from Brunswick Place to the entrance to the Crystal Palace, on the ascending journey.
- (2) Along the Mitcham Road and Pitlake, between Leighton Street West and Lower Church Street.

Eight miles an hour—

- (1) Along Anerley Road, between Brunswick Place and the Town Hall.
- (2) Along Park Lane, between the railway bridge and the Ruskin Road, on the descending journey.

- (3) Along Tamworth Road between Lower Church Street and the London Road.
- (4) Along Church Street and St. John's Road, between Elis David Road and the pole opposite Number 5, Epsom Road.
- (5) When passing over the interlacing line in Ringstead Road on the descending journey.

Four miles an hour—

- (1) Through facing points, whether fixed or movable.
- (2) Round all curves of 66 feet or less radius.
- (3) Along Anerley Road, from the entrance to the Crystal Palace to Brunswick Place, on the descending journey.
- (4) On the descending gradient on each side of Pitlake railway bridge.
- (5) On the curve between Tamworth Road and Lower Church Street.
- (6) On the curves between Lower Church Street and Church Street.

At all other places the speed shall not exceed the rate of *twelve* miles an hour.

Electrical
apparatus.

VI. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the tramways and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe.

VII. The overhead conductors used in connection with the working of the tramways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 17 feet, except where they pass under railway bridges.

VIII. The overhead conductors shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so inclosed as to be inaccessible to pedestrians.

IX. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

X. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XI. The trolley standard of every double-deck carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of this standard becoming electrically charged from any defect in the electrical conductors contained within it or, in the event of the standard becoming electrically charged, to give a continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the top deck of a carriage as long as there is risk of electric shock.

XII. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XIII. If and whenever telegraph or telephone wires, unprotected with a permanent insulating covering, cross-above, or are liable to fall upon, or to be blown on to, the overhead conductors of the tramways, efficient guard wires shall be erected and maintained at all such places.

Accidents.

XIV. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the tramways, immediate notice thereof shall be given to the Board of Trade.

Penalty.

NOTE.—The British Electric Traction Company, Limited, or any other company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds, and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-laws.

I. The entrance to and exit from the carriages shall be by the hindermost or conductor's platform, except at a terminus when the carriages are stationary.

II. The carriages shall be brought to a standstill whenever it is necessary to avoid impending danger and immediately before reaching the following points—

- (a) In Croydon Road, at Anerley Road.
 - (b) In Anerley Road—
 - (1) At the engineering entrance to the Crystal Palace, on the descending journey.
 - (2) At Ledrington Road, on the descending journey.
 - (3) At Pleydell Avenue, on the descending journey.
 - (4) Before reaching Palace Road, on the descending journey.
 - (5) At Lullington Road, on the descending journey.
 - (6) At Clarence Hall, on the descending journey.
 - (c) The Croydon Borough boundary in Mitcham Road.
 - (d) In Mitcham Road—
 - (1) Before reaching Sumner Road ;
 - (2) At Factory Lane.
 - (e) In Stanley Park Road before reaching Woodcote Road.
 - (f) In Stafford Road, before reaching Elgin Road on the journey towards Croydon.
 - (g) The junction of Tamworth Road and Lower Church Street.
 - (h) In the Epsom Road at the pole opposite Number 5, Epsom Road, on the journey towards Sutton.
 - (i) The junction of Park Lane and Ruskin Road.
 - (j) In Benyon Road and Carshalton Road at Park Hill Road.
 - (k) In Carshalton Road at Carshalton Hill railway bridge, on the descending journey.
 - (l) In Ringstead Road at Croft Road, on the descending journey.
 - (m) In Lower Road and Benhill Street at the Broadway.
- III. A printed copy of these regulations and bye-laws shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or bye-laws.

Signed by order of the Board of Trade, this 8th day of July, 1908.

S.R. & O., 1912, No. 388.

REGULATIONS AND BYE-LAWS, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE CROYDON AND DISTRICT TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the Croydon and District Electric Tramways Act, 1902, and the Croydon and District Electric Tramways (Extensions) Act, 1903 (hereinafter called "the tramways") :

And the Board of Trade do also hereby make the following bye-law with regard to the use of electrical power on all or any of such tramways.

Regulations.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage and not pushed or driven from the rear end. Disabled carriages.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage and

the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the South Metropolitan Electric Tramways and Lighting Company, Limited, and given by the front driver.

Penalty.

NOTE.—The South Metropolitan Electric Tramways and Lighting Company, Limited, or any other company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-law.

A printed copy of these regulations and this bye-law shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of this bye-law is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or this bye-law.

Signed by order of the Board of Trade, this 9th day of April, 1912.

BYE-LAWS AND REGULATIONS MADE THE 21ST DAY OF DECEMBER, 1908, BY THE SOUTH METROPOLITAN ELECTRIC TRAMWAYS AND LIGHTING COMPANY, LIMITED, UNDER THE POWERS CONFERRED ON THE COMPANY BY THE TRAMWAYS ACT OF 1870, THE CROYDON AND DISTRICT ELECTRIC TRAMWAYS ACT, 1902, THE CROYDON AND DISTRICT ELECTRIC TRAMWAYS (EXTENSIONS) ACT, 1903, THE RAILWAY CLAUSES CONSOLIDATION ACT, 1845, AND THE MITCHAM LIGHT RAILWAY ORDER, 1901.

Company's
bye-laws and
regulations.

1. The bye-laws and regulations hereinafter set forth shall extend and apply to all carriages of the company used on the tramways or railways, and to all places with respect to which the company now have or at any time hereafter may have power to make bye-laws and regulations.

Smoking.

2. Every person shall enter or depart from a carriage by the step of the hindmost or conductor's platform, and not otherwise, unless so directed by the conductor. No passenger shall board or enter or attempt to board or enter a carriage until all passengers desiring to alight have done so.

Nuisances.

3. No person shall smoke or carry a lighted pipe, cigar, or cigarette in or upon any carriage, except behind the trolley standard on the top of the carriage. Any person offending against this bye-law shall be liable, in addition to incurring the penalty below mentioned, to be summarily removed at the first opportunity from the carriage.

4. No person shall expectorate in, upon, or against any carriage.

5. No passenger or other person shall, while in or upon any carriage play or perform upon any musical instrument.

6. No person in a state of intoxication, or affected with any dangerous, contagious, or infectious disorder, shall enter or mount upon any carriage, and any such person found in or upon any carriage shall be immediately removed from the carriage by or under the direction of the conductor.

7. No person shall whistle or sing, or swear, or use obscene, noisy, or offensive language, whilst in or upon any carriage, or commit any nuisance in or upon or against any carriage, or wilfully interfere with the comfort of any passenger.

Damage.

8. No person shall wilfully cut, tear, soil, or damage any cushions or the linings, or remove or deface any number plate, printed or other notice, in or upon any carriage, or break or scratch any window of or otherwise wilfully damage any carriage. Any person acting in contravention of this bye-law shall be liable to

the penalty prescribed by these bye-laws, in addition to the liability to pay the amount of any damage done.

9. A person whose dress or clothing might, in the opinion of the conductor of the carriage, soil, or injure the carriage, or the dress or clothing of any passenger, or a person who, in the opinion of the conductor, might, for any other reason, be offensive to passengers, shall not be entitled to enter into or mount or remain in or upon any carriage, and shall not enter into or mount upon any carriage after having been requested not to do so by the conductor, and, if found in or upon any carriage shall, on request of the conductor, leave the carriage upon the fare, if previously paid, being returned.

10. Each passenger shall upon demand pay to the conductor or other duly authorized officer of the company, the fare legally demandable for the journey. Fares.

11. Each passenger shall show his ticket, when required to do so, to the conductor or any duly authorized servant of the company, and shall also, when required to do so, either deliver up his ticket or pay the fare legally demandable for the distance travelled over by such passenger. Tickets.

12. A ticket shall only be available for the carriage on or for which it is issued (except in the case of transfer, return, or season tickets), and no passenger shall be entitled to leave any carriage for any purpose whatever at any stage or place and resume his journey by a different carriage to that on or for which such ticket was issued without payment of a fresh fare from the point at which the passenger again entered the same or other carriage.

Tickets issued to passengers are not transferable.

13. No passenger shall wilfully alter or deface his ticket so as to render the number or any material portion thereof illegible.

14. No passenger shall use or attempt to use a ticket on any day for which such ticket is not available, or which has already been used on a previous journey.

15. A passenger not being an artizan, mechanic, or daily labourer within the true intent and meaning of the statutory provisions relating to the company, shall not use or attempt to use any ticket intended only for such artizans, mechanics, and daily labourers.

16. No passenger shall bring in or on to any carriage any luggage other than his own personal luggage, and any such personal luggage shall be carried at the responsibility of the passenger. The personal luggage of any passenger must not exceed 28 lb. in weight, and must be carried by hand, and must not occupy or overlap any part of a seat, or be placed so as to reduce the clear way between seats, nor be of a form or description to annoy or inconvenience any other passenger. Luggage.

17. No passenger or other person, not being a servant of the company, shall ride on or lean over the steps or platforms of any carriage, or stand on the roof, or sit on the outside rail on the roof of any carriage. No person, except a passenger or intending passenger, shall board a carriage, and no person shall hold on or hang on to any part of a carriage. Travelling on steps.

18. When any carriage contains in the interior thereof the full number of passengers for which seating accommodation is provided in such interior, no additional person shall enter by coming in the interior of such carriage except by the express permission of the conductor first obtained. Excess passengers.

When any carriage contains on the outside thereof the full number of passengers for which seating accommodation is provided on such outside, no person beyond such number shall enter, mount, or remain thereon.

19. No person shall enter, mount, or leave, or attempt to enter, mount, or leave any carriage whilst in motion.

20. No dog or other animal shall be allowed in or upon any carriage except by permission of the conductor, nor in any case in which the conveyance of such dog or other animal might be offensive or any annoyance to any passenger. Any dog or other animal so taken in or on a carriage shall be carried on the lap of the passenger and not otherwise. No person shall take a dog or other animal into any carriage after having been requested by the conductor not to do so. Any dog or other animal taken into or on any carriage shall be removed by the person in charge of such dog or other animal from the carriage immediately upon request by the conductor, and in default of compliance with such request may be removed by or under the direction of the conductor. Dogs.

21. No person shall enter, get upon, or travel in or on any carriage with loaded firearms, or with any article, instrument, or implement, or any material or substance which may be dangerous or offensive to any passenger. Firearms.

22. No person, other than the conductor or motorman or other servant of the company acting in the performance of his duty, shall change or remove the route indicators or destination boards, or interfere with the controller, brakes, lamps, lights, trolley rope, or any part of a carriage or its equipment, and no Obstruction.

person other than the conductor or other servant of the company acting in the performance of his duty, shall ring or otherwise signal the carriage to start.

23. No person shall wilfully obstruct any conductor, motorman, or other servant of the company acting in the performance of his duty upon or in connection with any carriage, tramway, or railway, or any part thereof.

24. The conductor of each carriage shall enforce or prevent the breach of these bye-laws and regulations to the best of his ability.

25. Any person offending against or committing a breach of these bye-laws or regulations shall be liable to a penalty not exceeding forty shillings.

26. There shall be placed, and kept placed in a conspicuous position inside of each carriage, a printed copy of these bye-laws and regulations.

27. The expression "conductor" shall include any officer or servant in the employment of the company and having charge of a carriage.

28. These bye-laws shall come into force on the First day of January, One thousand nine hundred and nine.

Certified by Board of Trade, 31st December, 1908.

DARTFORD LIGHT RAILWAYS.

S.R. & O., 1906, No. 342.

REGULATIONS, DATED 30TH APRIL, 1906, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE DARTFORD LIGHT RAILWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger, in the exercise of the powers conferred by the Dartford Light Railway Order, 1902 (confirmed by the Board of Trade on the 6th day of February, 1902) and the Dartford Light Railway (Extension) Order, 1903 (confirmed by the Board of Trade on the 13th day of November, 1903), with respect to the use of electrical power on the overhead trolley system on all or any of the railways on which the use of mechanical power has been authorized by the said Orders and on which the use of such power has been authorized hereinafter called "the railways"):

Regulations.

Require-
ments of
carriages.

I. Every motor carriage used on the railways shall comply with the following requirements, that is to say:—

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake and a slipper brake or other track brake, approved by the Board of Trade for use on the railways.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the railways except in the case of the removal of a disabled carriage.

III. Every carriage used on the railways shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. The entrance to and exit from the carriages shall be by the hindermost or conductor's platform, except at a terminus when the carriages are stationary.

V. The carriages shall be brought to a standstill whenever it is necessary to avoid impending danger and immediately before reaching the following points:—

- (a) In Dartford Road, at the junction of Tower Road, on the downward journey.
- (b) In East Hill, at the junction of Great Queen Street, on the downward journey.
- (c) In East Hill, at the junction of Overy Street, on the downward journey.

VI. Every carriage on the railways shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every such carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

VII. The speed at which the carriages shall be driven or propelled along the Speed. railways shall not exceed the rate of :—

Twelve miles an hour—

- (a) In Lowfield Street, between the terminus and the Rifleman's Public House.
- (b) In Dover Road.
- (c) In Dartford Road.
- (d) In London Road, between the terminus and St. Alban's Road.

Four miles an hour—

- (a) Through facing points, whether fixed or movable.
- (b) On the curves between Hythe Street and Victoria Road.
- (c) On the curves between Hythe Street and High Street.
- (d) On the curves between Hythe Street and Spital Street.
- (e) On the curves between High Street and Lowfield Street.
- (f) In West Hill, on the downward journey.
- (g) In East Hill, on the downward journey, between Great Queen Street and Overy Street.

On the downward journey on other gradients steeper than 1 in 20 and at all other places not specified above, the speed shall not exceed the rate of *eight miles an hour*.

VIII. The track brake shall be used on the downward journey in East Hill and West Hill.

IX. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the railways and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe. Electrical apparatus.

X. The overhead conductors used in connection with the working of the railways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 17 feet, except where they pass under railway bridges.

XI. The overhead conductors shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so inclosed as to be inaccessible to pedestrians.

XII. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

XIII. No part of any electric line shall be used for the transmission of more than 300,000 watts, except with the consent in writing of the Board of Trade, and efficient means shall be provided to prevent this limit being at any time exceeded.

XIV. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XV. The trolley standard of every double-decked carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of this standard becoming electrically charged from any defect in the electrical conductors contained within it, or, in the event of the standard becoming electrically charged, to give a continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the top deck of a carriage as long as there is risk of electric shock.

XVI. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XVII. If and whenever telegraph or telephone wires, unprotected with a permanent insulating covering, cross-above, or are liable to fall upon, or to be blown on to the overhead conductors of the railways, efficient guard wires shall be erected and maintained at all such places.

XVIII. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the railways, immediate notice thereof shall be given to the Board of Trade.

XIX. A printed copy of these regulations shall be kept in a conspicuous position inside of each carriage in use on the railways.

Penalty.

NOTE.—The Dartford Urban District Council and any authority, company, or person using electrical power on the railways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations.

Signed by order of the Board of Trade, this 30th day of April, 1906.

S.R. & O., 1912, No. 398.

REGULATIONS, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE DARTFORD LIGHT RAILWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger, in the exercise of the powers conferred by the Dartford Light Railway Order, 1902, and the Dartford Light Railway (Extension) Order, 1903, with respect to the use of electrical power on the overhead trolley system on all or any of the railways on which the use of mechanical power has been authorized by the said Orders and on which the use of such power has been authorized (hereinafter called "the railways"):

*Regulations.*Disabled
carriages.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage and not pushed or driven from the rear end.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage, and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the Dartford Urban District Council and given by the front driver.

VII. A printed copy of these regulations shall be kept in a conspicuous position inside of each carriage in use on the railways.

Penalty.

NOTE.—The Dartford Urban District Council and any authority, company, or person using electrical power on the railways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations.

Signed by order of the Board of Trade, this 9th day of April, 1912.

BYE-LAWS AND REGULATIONS MADE BY THE URBAN DISTRICT COUNCIL OF DARTFORD, UNDER THE POWERS CONTAINED IN THE DARTFORD LIGHT RAILWAY ORDER, 1902, AND THE RAILWAYS CLAUSES CONSOLIDATION ACT, 1845.

1. The term "the Council" shall mean the Urban District Council of Dartford and their lessees.

The expression "the railways" shall mean all light railways constructed under the powers of the Dartford Light Railway Order, 1902, and the Dartford Light Railway (Extension) Order, 1903.

The term "car" shall mean any carriage using the railways, and the term "driver" and "conductor" shall respectively mean the driver and conductor, or other person having charge of a car.

The term "conductor" shall include any officer or servant in the employment of the Council and having charge of a carriage.

2. The bye-laws and regulations hereinafter set forth shall extend and apply to all cars of the Council, and to all places with respect to which the Council have power to make bye-laws or regulations.

3. The driver of every car shall so drive the same that it shall not follow a preceding car at a less distance than 40 yards. Driving.

4. Subject to the requirements of Bye-law No. 3, the driver and conductor of a car shall stop the same for the purpose of setting down or taking up passengers at such points as shall be approved from time to time by the Council, such points to be indicated by notices affixed to the railway or electric lamp-posts or gas-posts.

5. Except at a passing place or terminus, or at points fixed and approved by the Council for the setting down or taking up of passengers, no car shall be stopped at the intersection or junction of two or more streets or roads, nor within 10 yards of a car on an adjoining line of rails.

6. A driver of a car on coming in sight of a vehicle standing or travelling on any part of the road, so as not to leave sufficient space for the car to pass, shall sound his bell or whistle as a warning to the person in charge of such vehicle, and that person shall, with all reasonable dispatch, cause such vehicle to be removed, so as not to obstruct the car.

7. No person shall in any way wilfully or needlessly impede or interfere with the traffic on the railways, nor shall any driver or conductor wilfully or needlessly cause interruption of the ordinary road traffic. Obstruction.

8. Every passenger shall enter or depart from a car by the hindermost or conductor's platform, and not otherwise. Passengers.

9. No passenger shall smoke inside any car, nor shall any passenger smoke or carry lighted pipes, cigars, or cigarettes on the outside of any car while occupying such front seats of the car as may from time to time be set apart for the use of non-smokers.

10. No person shall spit in or on any car. Nuisances.

11. No passenger or other person shall, while travelling in or upon any car, play or perform upon any musical instrument.

12. A person in a state of intoxication shall not be allowed to enter or mount upon any car, and if found in or upon any car shall be immediately removed by or under the direction of the conductor.

13. No person shall swear or use obscene or offensive language whilst in or upon any car, or commit any nuisance in or upon or against any car, or wilfully interfere with the comfort of any passenger.

14. No person shall wilfully cut, tear, soil, or damage the cushions or the linings, or remove or deface any number plate, printed or other notice, in or on the car, or break or scratch any window of or otherwise wilfully damage any car. Any person acting in contravention of this regulation shall be liable to the penalty prescribed by these bye-laws and regulations, in addition to the liability to pay the amount of any damage done. Damage.

15. A person whose dress or clothing might, in the opinion of the conductor of a car, soil or injure the linings or cushions of the car or the dress or clothing of any passenger, might for any other reason be offensive to passengers, shall not be entitled to enter or remain in the interior of any car, and may be prevented from entering the interior of any car, and shall not enter the interior of any car after having been requested not to do so by the conductor, and, if found in the interior of any car, shall, on request of the conductor, leave the interior of the car upon the fare, if previously paid, being returned.

16. Each passenger shall, upon demand, pay to the conductor or other duly authorized officer of the Council, the fare legally demandable for the journey. Fares.

17. Each passenger shall show his ticket (if any) when required so to do to the conductor or any duly authorized servant of the Council, and shall also, when Tickets.

required so to do, either deliver up his ticket or pay the fare legally demandable for the distance travelled over by such passenger.

Disabled
cars.

18. If at any time a car becomes disabled or in any way injured, or from any cause unable to proceed, the passengers shall, upon the request of the conductor, leave the same; and if such passengers have paid their fares, shall not be entitled to demand back the amount of their fare so paid, but, on production of their tickets, shall be allowed to travel by the next available car the remainder of the distance in respect of which they have paid their fares. No person shall, except with leave of the conductor, enter a disabled or injured car.

19. A passenger, not being an artizan, mechanic, or daily labourer, within the true intent and meaning of the statutory provisions relating to the Council, shall not use or attempt to use any ticket intended only for such artizans, mechanics, or daily labourers.

Luggage.

20. Personal or other luggage (including the tools of artizans, mechanics, and daily labourers) shall, unless otherwise permitted by the conductor, be placed on the front or driver's platform, and not in the interior or on the roof of any car.

Travelling.

21. No passenger or other person not being a servant of the Council shall be permitted to travel on the steps or platform of any car or stand on the roof, or sit on the outside rail on the roof of any carriage; and any person so travelling, standing, or sitting shall cease to do so immediately on request by the conductor.

22. No person except a passenger or intending passenger shall enter or mount any car, and no person shall hold or hang on by or to any part of any car, except straps or other appliances provided inside the car for the convenience of passengers.

Excess
passengers.

23. When any car contains in the interior thereof the full number of passengers for which seating accommodation is provided in such interior, no additional person shall enter, or remain in the interior of such car, except by the express permission of the conductor first obtained.

When a car contains on the outside thereof the full number of passengers for which seating accommodation is provided on such outside, no additional person shall enter, board, or remain thereon.

24. Subject to the provisions of Bye-law No. 23, the conductor shall not permit any passenger beyond the number for which seating accommodation is provided in or on such car to enter, or mount, or remain in or upon any part of the car.

25. No person shall enter, or mount, or leave, or attempt to enter, mount, or leave any car whilst in motion.

Dogs.

26. No dog or other animal shall be allowed in or on any car.

27. No person shall travel in or on any car of the Council with loaded firearms.

28. No passenger shall wilfully obstruct or impede any officer or servant of the Council in the execution of his duty upon or in connection with any car or railway of the Council.

29. The conductor of each car shall enforce or prevent the breach of these bye-laws and regulations to the best of his ability.

30. There shall be placed and kept placed in a conspicuous position inside of each carriage in use a printed copy of these bye-laws and regulations.

31. Any persons offending against or committing a breach of any of these bye-laws or regulations shall be liable to a penalty not exceeding forty shillings,

32. These bye-laws shall come into force on the 9th day of July, 1906.

The Board of Trade hereby signify their allowance and approval of the foregoing bye-laws and regulations.

This 5th day of July, 1906.

EAST HAM CORPORATION TRAMWAYS.

S.R. & O., 1915, No. 743.

REGULATIONS AND BYE-LAWS, DATED 17TH JULY, 1915, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER ON THE EAST HAM CORPORATION TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on all or any of the tramways on which the use of such power has been authorized by the East Ham Urban Council Tramways Order, 1898, the East Ham Improvement Act, 1898, and the

East Ham Urban District Council Tramways Order, 1900 (hereinafter called "the tramways") :

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on such tramways.

The Orders of the Board of Trade in this behalf, dated the 16th day of November, 1908, and 30th day of April, 1909, are hereby rescinded.

Regulations.

I. Every motor carriage used on the tramways shall comply with the following requirements, that is to say :—

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) Its wheels shall be fitted with brake blocks which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the tramways without the consent of the Board of Trade except

- (a) in the case of the removal of a disabled carriage,
- (b) for the conveyance of salt, sand, and other materials or stores for the purposes of the tramway undertaking.

When trailer carriages are used for the conveyance of salt, &c., under (b) the following requirements shall be complied with :—

- (1) More than one trailer carriage shall not be attached to any motor carriage.
- (2) No passengers shall be carried in any motor carriage to which a trailer carriage is attached.
- (3) The trailer carriage shall be fitted with efficient brakes and there shall be a man on the trailer carriage to attend to the brakes.

III. Every carriage used on the tramways for the conveyance of passengers shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. Every carriage on the tramways, or where two carriages are coupled together, the front carriage shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every carriage, or where two carriages are coupled together, the rear carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

V. The speed at which the carriages shall be driven or propelled along the tramways shall not exceed the rate of—

Sixteen miles an hour—

Along Romford Road between the West Ham Boundary and the Manor Park Broadway.

Fourteen miles an hour—

Along Barking Road between Green Street and the Barking Boundary.

Twelve miles an hour—

(a) Along Romford Road between the Manor Park Broadway and the Ilford Boundary ;

(b) Along Wanstead Flats, Station Road, High Street North, High Street South, Manor Way, and Cyprus Place, between the Wanstead Park Terminus and the Royal Albert Dock Terminus.

Ten miles an hour—

Along Plashet Grove and Plashet Lane, between High Street North and Green Street.

Four miles an hour—

- (a) Through facing points, whether fixed or movable.
- (b) At the intersection of High Street and Barking Road.
- (c) Over the Great Eastern Railway Bridge at Manor Park.
- (d) Round the curves into Romford Road.
- (e) In Manor Way over the isolated section at the level crossing over the Great Eastern Railway.
- (f) On the curve at Cyprus Place.

VI. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the tramways and the earth, or between any two such conductors, shall in no case exceed 550 volts. The Electrical apparatus.

electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe.

VII. The overhead conductors used in connection with the working of the tramways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 20 feet, except where they pass under bridges.

VIII. Each positive conductor shall be divided up into section not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so inclosed as to be inaccessible to pedestrians.

IX. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

X. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XI. The trolley standard of every double-decked carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of the standard becoming electrically charged from any defect in the conductors contained within it or in the event of the standard becoming electrically charged to give a distinctive and continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the upper deck of a carriage as long as there is risk of electric shock.

[NOTE.—This regulation will not apply to the trolley base on the top cover of double-decked carriages.]

XII. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XIII. If and whenever telegraph, telephone, or other wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the tramways, efficient guard wires shall be erected and maintained at all such places.

XIV. Every guard wire shall be bonded to the rails through its support at each end and at intervals of not more than five spans.

XV. From the date of these regulations no gas-lamp bracket shall be attached to any pole unless triple insulation is provided between the pole and the overhead conductors.

Accidents.

XVI. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the tramways, immediate notice thereof shall be given to the Board of Trade.

Penalty.

NOTE.—The East Ham Corporation or any other local authority, company, or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-laws.

I. The special bell shall be sounded by the driver of the carriage whenever necessary as a warning.

II. The entrance to and exit from the carriages shall be by the hindermost or conductor's platform except at a terminus when the carriages are stationary. Provided that this bye-law shall not apply to carriages approved by the Board of Trade with one man only in charge.

III. The carriages on the tramways shall be brought to a standstill as soon as possible whenever it is necessary to avoid impending danger and on all occasions immediately before reaching the following points:—

- (a) The junction of Romford Road and White Post Lane, in each direction.
- (b) The passing loop at the intersection of Plashet Grove and High Street North, in each direction.
- (c) The intersection of High Street and Barking Road, in each direction.

(d) In Plashet Grove—

(1) At Plashet Lane.

(2) At Katherine Street.

(3) At High Street North.

(e) In East Ham Manor Way at the commencement of the isolated section at the level crossing over the Great Eastern Railway, in each direction.

IV. A printed copy of these regulations and bye-laws shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

Signed by order of the Board of Trade, this 17th day of July, 1915.

S.R. & O., 1912, No. 390.

REGULATIONS AND BYE-LAW, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE EAST HAM CORPORATION TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the East Ham Urban Council Tramways Order, 1898, the East Ham Improvement Act, 1898, and the East Ham Urban District Council Tramways Order, 1900 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-law with regard to the use of electrical power on all or any of such tramways.

Regulations.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage and not pushed or driven from the rear end. Disabled carriages.

(b) When it is impracticable to tow a carriage, it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage, and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the East Ham Corporation and given by the front driver.

Penalty.

NOTE.—The East Ham Corporation or any other local authority, company, or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-law.

A printed copy of these regulations and this bye-law shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of this bye-law is liable to a penalty not exceeding forty shillings.

Signed by order of the Board of Trade, this 9th day of April, 1912.

BYE-LAWS MADE BY THE MAYOR, ALDERMEN, AND BURGESSES OF THE BOROUGH OF EAST HAM, BEING THE PROMOTERS OF THE TRAMWAYS IN THE BOROUGH OF EAST HAM, WITH RESPECT TO SUCH TRAMWAYS, PURSUANT TO THE POWERS CONFERRED UPON THEM BY THE TRAMWAYS ACT, 1870.

Interpretation.

1. Throughout these bye-laws the word "Corporation" means the Mayor, Aldermen, and Burgesses of the Borough of East Ham, and shall include any lessees or persons for the time being working the tramway system hereinafter referred to or any portion thereof; the word "tramways" means the tramway system worked by the Corporation either within its own boundaries or within any other area over which the Corporation has running powers; the word "car" means any carriage or car run by the Corporation upon the tramways for the conveyance of passengers; the word "conductor" means any officer or servant of the Corporation having charge of or helping in the charge of a car; and the word "driver" means any officer or servant of the Corporation driving or assisting to drive a car.

Penalty.

2. Any person infringing any of the following bye-laws shall be liable to a penalty of not exceeding (40s.) forty shillings, and in case of a continuing offence to a penalty of not exceeding ten shillings, in addition to the first-mentioned penalty, for every day during which such offence continues.

Offensive language or conduct.

3. No person shall swear or use obscene or offensive language or conduct himself offensively whilst in or upon any car, or spit or commit any nuisance in or upon or against any car or tramway station, or premises used in connection with the tramway system, or in any way wilfully interfere with the comfort of any passenger. No person shall sing, or play, or perform upon any musical instrument, or distribute advertisements, pamphlets, notices, handbills, or tracts of any kind, or beg or collect money, alms, or subscriptions, or sell or attempt to sell any article, or play any game, or gamble, or paste notices or handbills, or deposit remnants of food or fruit in or upon any car.

Objectionable persons.

4. Any person who is in a state of intoxication, or who from that or any other cause is, in the opinion of the conductor, unfit to be a passenger on a car, shall not be allowed to board or enter upon any car, and if any such person be found in or upon any car, he shall be requested by the conductor to leave the car, failing which, it shall be lawful for the conductor or any other officer or servant of the Corporation to remove such person from the car. Any person whose dress or clothing might, in the opinion of the conductor, soil or injure the linings or cushions of a car, or the dress or clothing of any passenger, shall not be entitled to enter or remain in a car.

Provided that, on cars specially run for artisans, mechanics, and daily labourers, no person shall be prevented from entering or remaining in a car under the provisions of this bye-law on the ground of the condition of his dress or clothing, if such condition is solely due to the nature of his employment.

Dogs, &c.

5. No person shall take a dog or other animal into or upon any car, except by the permission of the conductor, nor in any case in which the conveyance of such dog or other animal might be offensive or any annoyance to passengers. Any dog or other animal taken into or found in or upon any car shall be removed by the person in charge thereof from the car immediately upon request by the conductor.

Damaging cars.

6. No person shall wilfully cut, tear, soil, or damage the seats, cushions, curtains, or linings, or remove or deface any number plate, printed or other notice, in or on any car, or break or scratch any window of, or otherwise wilfully damage any car. Any person acting in contravention of this regulation shall be liable, in addition to the penalty prescribed by these bye-laws; for the amount of any damage so done.

Smoking.

7. No person shall smoke or carry a lighted pipe, cigar, or cigarette in or upon any car, except on such seats outside the car as may be specially set apart for persons smoking or desirous of so doing.

Payment of fares.

8. Each passenger shall, before leaving the car, or immediately upon demand by the conductor, if such demand shall be first made, pay to the conductor the fare legally payable for his journey and obtain a ticket therefor. Any person leaving a car shall be deemed to have completed his journey.

Tickets.

9. Each passenger shall, immediately upon demand, produce and hand his ticket to any duly authorized officer or servant of the Corporation, and shall also, when required so to do, either deliver up his ticket or pay the fare for the distance travelled over by such passenger.

Tickets shall not be transferable, and shall be available only by the car on which they are issued.

10. No person other than the conductor or driver shall change or remove the route indicators or destination boards, or interfere with the controllers, brakes, lights, ventilators, trolley cord, or any part of a car, or its equipment, or any switch or point connected with the tramway track, or any frog rope or other appliance or attachment to the equipment of the tramways, or signal a car to start.

Interference with or obstruction to conductor, driver, or other servant.

No passenger or other person shall wilfully obstruct or impede any officer or servant of the Corporation in the execution of his duty upon or in any car or tramway of the Corporation.

11. No luggage which, in the opinion of the conductor from its size or otherwise, is unsuitable for conveyance in or upon a car shall be taken in or upon such car. Any personal luggage carried by passengers or the tools of artisans, mechanics, and daily labourers shall be placed on the front or driver's platform, unless otherwise permitted by the conductor, and if placed on a platform of the car shall be carried at the owner's risk. No package or luggage of any description, unaccompanied by a passenger, shall be conveyed upon any car, except under any regulations or restrictions which the Corporation may adopt.

Luggage.

12. When any car, or the inside or outside of a car, or any compartment of a car contains the full number of passengers which it is licensed to carry, no additional person shall enter, board, or remain in or upon any such car or portion of such car. The conductor shall not permit any person beyond the licensed number of passengers to enter, board, or remain in or upon any part of a car. All such persons shall leave the car immediately upon the request of the conductor.

Entering full cars.

13. If at any time a car becomes disabled, or in any way injured, or from any cause unable to proceed, the passengers shall, upon the request of the conductor, leave the same, and if such passengers have paid their fares, shall not be entitled to demand back the amount of their fares so paid. No person shall, except with the leave of the conductor, enter a disabled or injured car.

Disabled cars.

14. No passenger or other person, not being an officer or servant of the Corporation, shall be permitted to travel on the steps or platforms of any car or stand either on the roof or, except in accordance with the regulations of the Corporation exhibited upon such car, in the interior, or sit on the outside rail on the roof of any car, and shall cease to do so immediately on request by the conductor.

Travelling on steps, &c.

No person except a passenger or intending passenger shall enter or board a car, and no person shall hold or hang on by or to any part of a car.

15. No person shall travel in or on any car with loaded firearms, or dangerous or offensive articles, instruments, tools, or implements.

Firearms, &c.

16. Every person shall enter or depart from a car by the step of the hindermost or conductor's platform, and not otherwise, unless so directed by the conductor.

Entering and leaving cars.

All persons desiring to alight from any car shall do so before any person boards the car for the purpose of travelling thereon, and all persons desiring to board the car shall permit such persons to alight as aforesaid.

17. No person shall enter, board, or leave, or attempt to enter, board, or leave any car whilst in motion.

Entering a car when in motion.

18. No person afflicted with any infectious or contagious disease shall board, enter, or travel on any car, or attempt so to do. And no driver or conductor shall suffer or permit any such person so to do.

Persons suffering from disease not to travel on cars.

19. Any person who shall commit, whilst on any car, any legal offence or any breach of these bye-laws, shall, in addition to being liable to a penalty, be liable to be immediately removed from the car, and if such person shall have paid his fare, shall not be entitled to demand back the amount of his fare so paid.

Power to remove passengers committing offence.

20. There shall be placed and kept placed in a conspicuous position in each car in use on the tramways a printed copy of these bye-laws.

21. From and after the date of the confirmation of these bye-laws, the bye-laws and regulations made by the East Ham Urban District Council as the promoters, under the powers conferred on the Council by the Tramways Act, 1870, which were confirmed by the Board of Trade on the eighth day of November, One thousand nine hundred and one, shall be repealed.

The Corporate seal of the Town Council of East Ham was hereto affixed at a meeting held on the 9th July, 1907.

Board of Trade Certificate, 14th September, 1907.

ERITH URBAN DISTRICT COUNCIL TRAMWAYS.

S.R. & O., 1905, No. 1354.

REGULATIONS AND BYE-LAWS, DATED 21ST DECEMBER, 1905, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE ERITH URBAN DISTRICT COUNCIL TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the Erith Tramways and Improvement Act, 1903 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on all or any of such tramways.

Regulations.

Require-
ments of
carriages.

I. Every motor carriage used on the tramways shall comply with the following requirements, that is to say:—

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake and a slipper brake or other track brake approved by the Board of Trade for use on the tramways.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell or whistle to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the tramways except in the case of the removal of a disabled carriage.

III. Every carriage used on the tramways shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. Every carriage on the tramways shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every such carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

Speed. V. The speed at which the carriages shall be driven or propelled along the tramways shall not exceed the rate of

Fourteen miles an hour—

In Lower Road between Station Road, Belvedere, and Mayfield Road.

Twelve miles an hour—

(a) In Bexley Road between the Crayford Parish Boundary and Carlton Road.

(b) In Abbey Road and Gilbert Road between the Woolwich Borough Boundary and Sheridan Road.

Eight miles an hour—

(a) In Bexley Road between Lesney Park and Pier Road.

(b) In the Lower Road when crossing the new bridge over the railway.

(c) In West Street between the Ballast Level Crossing and Walnut Tree Road.

Four miles an hour—

(a) Through facing points, whether fixed or movable.

(b) On the curves at the junction of Bexley Road, Pier Road, and Walnut Tree Road.

(c) On the curve between Pier Road and Crayford Road.

(d) On the curve between Gilbert Road and Picardy Street.

(e) On the curve between Walnut Tree Road and West Street.

(f) On the curve between Station Road, Belvedere, and Picardy Street.

(g) On the curves at the junction of Lower Road and West Street.

(h) In West Street, when passing the National Schools, until the road at this point is widened.

VI. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the tramways and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe.

VII. The overhead conductors used in connection with the working of the tramways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 17 feet, except where they pass under railway bridges.

VIII. The overhead conductors shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so inclosed as to be inaccessible to pedestrians.

IX. No part of any electric line shall be used for the transmission of more than 300,000 watts, except with the consent in writing of the Board of Trade, and efficient means shall be provided to prevent this limit being at any time exceeded.

X. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

XI. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation to the highest quality, and additionally protected wherever they are adjacent of any metal so as to avoid risk of the metal becoming charged.

XII. The trolley standard of every double-decked carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of this standard becoming electrically charged from any defect in the electrical conductors contained within it or give a continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the roof of a carriage as long as there is risk of electric shock.

XIII. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XIV. If and whenever telegraph or telephone wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the tramways, efficient guard wires shall be erected and maintained at all such places.

XV. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the tramways, immediate notice thereof shall be given to the Board of Trade. Accidents.

Penalty.

NOTE.—The Erith Urban District Council or any company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds, for every day during which such offence continues after conviction thereof.

Bye-laws.

I. The entrance to and exit from the carriages shall be by the hindermost or conductor's platform except at a terminus when the carriages are stationary.

II. The carriages shall be brought to a standstill whenever it is necessary to avoid impending danger and immediately before reaching the following points:—

- (a) In Bexley Road at Carlton Road.
- (b) In West Street before crossing Station Wharf level crossing.
- (c) In West Street before crossing Ballast Wharf level crossing.
- (d) The junction of Station Road, Belvedere, and Picardy Street.

III. A printed copy of these regulations and bye-laws shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty for offending is 40s.

The provisions of the Summary Jurisdiction Acts with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or bye-laws.

Signed by order of the Board of Trade, this 21st day of December, 1905.

S.R. & O., 1912, No. 391.

REGULATIONS AND BYE-LAW, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE ERITH URBAN DISTRICT COUNCIL TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the Erith Tramways and Improvement Act, 1903 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-law with regard to the use of electrical power on all or any of such tramways.

Regulations.

Disabled
carriages.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage, and not pushed or driven from the rear end.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected, except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage, and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the Erith Urban District Council and given by the front driver.

Penalty.

NOTE.—The Erith Urban District Council or any company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-law.

A printed copy of these regulations and this bye-law shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of this bye-law is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or this bye-law.

Signed by order of the Board of Trade, this 9th day of April, 1912.

BYE-LAWS AND REGULATIONS MADE BY THE URBAN DISTRICT COUNCIL OF ERITH, AS THE PROMOTERS, UNDER THE POWERS CONFERRED UPON THEM BY THE TRAMWAYS ACT, 1870, AND THE ERITH TRAMWAYS AND IMPROVEMENT ACT, 1903.

1. Throughout these bye-laws the word "Council" means the Urban District Council of Erith; the word "tramways" mean the whole of the tramway system worked by the Council; the word "car" means any car or carriage run by the Council upon the tramways for the conveyance of passengers; the word "driver" means any officer or servant of the Council driving or assisting to drive a car; and the word "conductor" means any officer or servant of the Council having charge of or helping in the charge of a car. Interpretation.
2. Any person infringing any of the following bye-laws shall be liable to a penalty of not exceeding (40s.) forty shillings, and in case of a continuing offence to a penalty of not exceeding ten shillings, in addition to the first-mentioned penalty, for every day during which such offence continues. Penalty.
3. No person shall swear or use obscene or offensive language, or conduct himself offensively whilst in or upon any car, or spit, or commit any nuisance in or upon or against any car or tramway station or premises used in connection with the tramway system, or in any way wilfully interfere with the comfort of any passenger. No person shall sing or play or perform upon any musical instrument, or distribute advertisements, pamphlets, notices, handbills, or tracts of any kind, or beg or collect money, alms, or subscriptions, or sell any article, or play any game or gamble, or paste notices or handbills, or deposit remnants of food or fruit in or upon any car. Offensive language or conduct.
4. Any person who is in a state of intoxication, or who from that or any other cause is, in the opinion of the conductor, unfit to be a passenger on a car, shall not be allowed to board or enter upon any car, and if any such person be found in or upon any car, he shall be requested by the conductor to leave the car, failing which, it shall be lawful for the conductor or any other officer or servant of the Council to remove such person from the car. Any person whose dress or clothing might, in the opinion of the conductor soil or injure the dress or clothing of any passenger, shall not be entitled to enter or remain in or upon a car. Objectionable persons.
5. No person shall take a dog or other animal into or upon any car. Any dog or other animal taken into or found in or upon any car, shall be removed by the person in charge of such dog or other animal from the car immediately upon request by the conductor. Dogs, &c.
6. No person shall wilfully cut, tear, soil, remove, or damage the seats, curtains, fittings, or other equipment, or remove or deface any number plate, printed or other notice, in or on any car, or otherwise wilfully damage any car. Any person acting in contravention of this regulation shall be liable, in addition to the penalty prescribed by these bye-laws, for the amount of any damage so done. Damaging cars.
7. No person shall smoke or carry a lighted pipe, cigar, or cigarette, in or upon any car, except on such seats outside the car as may be specially set apart for persons smoking or desirous of so doing. Smoking.
8. Each passenger shall, before leaving the car, or immediately upon demand by the conductor, if such demand shall be first made, pay to the conductor the fare legally payable for his journey and obtain a ticket therefor. Payment of fares.
No child under three years of age who does not occupy a seat on the car shall be liable to pay a fare.
9. Each passenger shall, immediately upon demand, show or hand his ticket to any duly authorized officer or servant of the Council, and shall also, when required so to do, either deliver up his ticket or pay the fare for the distance travelled over by such passenger. Tickets.
10. No person other than the conductor or driver shall change or remove the route indicators or destination boards, or interfere with the controllers, brakes, lights, ventilators, trolley cord, or any part of a car or its equipment, or any switch or point connected with the tramway track, or any frog rope or other appliance or attachment to the equipment of the tramways, or signal a car to start. Interference with or obstruction to conductor, driver or other servant.
11. No luggage which, in the opinion of the conductor, from its size or otherwise, is unsuitable for conveyance in or upon a car, shall be taken in or upon such car. Any personal luggage carried by passengers shall be placed in such part of the car as the conductor may direct. Luggage.
12. When any car, or the inside or outside of a car, contains the full number of passengers which it is licensed to carry, no additional person shall enter, board, or remain in or upon any such car or portion of such car. The conductor Entering full cars.

shall not permit any person beyond the licensed number of passengers to enter, board, or remain in or upon any part of a car. All such persons shall leave the car immediately upon the request of the conductor.

Disabled
carriages.

13. If at any time a car becomes disabled, or in any way injured, or from any cause unable to proceed, the passengers shall, upon the request of the conductor, leave the same, and, if such passengers have paid their fares, shall not be entitled to demand back the amount of their fares so paid, but shall have the right to complete their journey by the next available car. No person shall, except with the leave of the conductor, enter a disabled or injured car.

Travelling on
steps, &c.

14. No person, not being an officer or servant of the Council, shall travel or ride on the steps, platforms, outside rails, buffers, or guards of any car, and no person, not being an officer or servant of the Council, shall stand inside or on the outside, or on the platform of any car.

Firearms,
&c.

No person except a passenger or intending passenger shall enter or board a car, and no person shall hold or hang on by or to part of a car.

15. No person shall travel in or on any car with fire-arms, or dangerous or offensive articles, instruments, tools, or implements, provided that nothing contained in this bye-law shall apply to persons in the naval, military, reserve, or auxiliary forces, travelling in uniform, carrying unloaded firearms.

Entering and
leaving cars.

16. Every person shall enter or depart from a car by the step of the hindmost or conductor's platform, and not otherwise, unless so directed by the conductor.

All persons desiring to alight from any car shall do so before any person boards the car for the purpose of travelling thereon, and all persons desiring to board the car shall permit such persons to alight as aforesaid.

Entering a
car when in
motion.
Persons
suffering
from disease
not to travel
on cars.

17. No person shall enter, board, or leave, or attempt to enter, board, or leave any car whilst in motion.

18. No person afflicted with any infectious or contagious disease shall board, enter, or travel on any car, or attempt so to do, and no driver or conductor shall suffer or permit any such person so to do.

Power to
remove
passengers
committing
offence.
Copy of
bye-laws.

19. Any person who shall commit whilst on any car any legal offence, or any breach of these bye-laws, shall, in addition to being liable to a penalty, be liable to be immediately removed from the car, and if such person shall have paid his fare, shall not be entitled to demand back the amount of the fare so paid.

20. There shall be placed and kept placed in a conspicuous position in each car in use on the tramways a printed copy of these bye-laws.

Given under the common seal of the Urban District Council of Erith, this 18th day of December, 1905.

Board of Trade Certificate, 5th March, 1906.

BYE-LAWS AND REGULATIONS MADE BY THE URBAN DISTRICT COUNCIL OF ERITH, AS THE LOCAL AUTHORITY, UNDER SECTION 46 OF THE TRAMWAYS ACT, 1870.

Interpreta-
tion.

1. For the purpose of these bye-laws and regulations the term "car" shall mean any car or carriage using the tramways laid down within the Urban District of Erith, and the terms "driver" and "conductor" shall respectively mean the driver and conductor or other person having charge of a car.

Stopping for
passengers.

2. The driver or conductor of a car shall stop the same for the purpose of setting down or taking up passengers when required by any passenger desiring to leave the car, or by any person desirous of travelling by the car, for whom there is room, and to whose admission no valid objection can be made, at each or any of the specified stopping-places along the route.

Warning to
persons in
charge of
other
vehicles.
Wilful
obstruction.

3. The driver of a car, on coming in sight of a vehicle standing or travelling on any part of the road so as not to leave sufficient space for the car to pass, should sound his bell or whistle as a warning to the person in charge of such vehicle, and that person shall, with reasonable dispatch, cause such vehicle to be removed so as not to obstruct the car.

4. No person shall in any way wilfully impede or interfere with the traffic on the tramways, nor shall any driver or conductor needlessly cause interruption to the ordinary road traffic.

Penalty.

5. Every driver, conductor, or other person offending against any of these bye-laws and regulations shall be liable to a penalty not exceeding forty shillings for each offence, and not exceeding for any continuous offence ten shillings for every day during which the offence continues.

Given under the common seal of the Urban District Council of Erith this 15th day of January, 1906.

Board of Trade Certificate, 21st March, 1906.

HARROW ROAD TRAMWAY.

S.R. & O., 1912, No. 492.

REGULATIONS AND BYE-LAWS, DATED 6TH MAY, 1912, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE HARROW ROAD TRAMWAY.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramway on which the use of mechanical power has been authorized by the Metropolitan Electric Tramways Act, 1908, and the London County Council (Tramways and Improvements) Act, 1909 (hereinafter called "the tramway"):

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on all or any of such tramway.

The Order of the Board of Trade in this behalf, dated the 3rd day of February, 1911, is hereby rescinded.

Regulations.

I. Every motor carriage used on the tramway shall comply with the following requirements, that is to say:—

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the tramway without the consent of the Board of Trade, except:—

- (a) in the case of the removal of a disabled carriage.
- (b) for the conveyance of salt, sand, and other materials or stores for the purposes of the tramway undertaking.

When trailer carriages are used for the conveyance of salt, &c., under (b) the following requirements shall be complied with:—

- (1) More than one trailer carriage shall not be attached to any motor carriage.
- (2) No passengers shall be carried in any motor carriage to which a trailer carriage is attached.
- (3) The trailer carriage shall be fitted with efficient brakes and there shall be a man on the trailer carriage to attend to the brakes.

III. Every carriage used on the tramway for the conveyance of passengers shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. Every carriage on the tramway, or where two carriages are coupled together, the front carriage shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every carriage or where two carriages are coupled together, the rear carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

V. The speed at which the carriages shall be driven or propelled along the tramway shall not exceed the rate of *sixteen* miles an hour or such lower rate of speed as is specified below:—

The speed shall not exceed the rate of—

Twelve miles an hour—

On the curves in Harrow Road at Bishops Road.

Eight miles an hour—

(a) In Harrow Road, between St. James' Terrace and Fulham Place.

(b) In Harrow Road between Lock Bridge and Hampden Street on the downward journey.

Four miles an hour—

(a) Through facing points, whether fixed or movable.

(b) On the curve between Harrow Road and Scrubbs Lane.

Require-
ments of
carriages.

Speed.

Electrical apparatus.

VI. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the tramway and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe.

VII. The overhead conductors used in connection with the working of the tramway shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 20 feet, except where they pass under railway bridges.

VIII. The positive conductor shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so inclosed as to be inaccessible to pedestrians.

IX. Each separate insulator on the overhead conductors shall be tested not less frequently than once a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

X. All electrical conductors, fixed upon the carriages used on the tramway, in connection with the trolley wheel or conduit plough, other than those upon which it is necessary that a sliding contact should be made, shall be protected by insulating material of the highest quality.

XI. The trolley standard of every double-deck carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of the standard becoming electrically charged from any defect in the conductors contained within it or in the event of the standard becoming electrically charged to give a distinctive and continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the upper deck of a carriage as long as there is risk of electric shock.

[NOTE.—This regulation will not apply to the trolley base on the top cover of double-deck carriages.]

XII. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XIII. If and whenever telegraph, telephone, or other wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the tramway, efficient guard wires shall be erected and maintained at all such places.

XIV. Every guard wire shall be bonded to the rails through its support at each end and at intervals of not more than five spans.

XV. Every pole to which a gas-lamp bracket is attached after the date of these regulations shall be efficiently bonded to the rails.

Accidents.

XVI. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the tramway, immediate notice thereof shall be given to the Board of Trade.

Penalty.

NOTE.—The Metropolitan Electric Tramways, Limited, or the London County Council or any other company or person using electrical power on the tramway contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after the conviction thereof.

Bye-laws.

I. The entrance to and exit from the carriages shall be by the hindermost or conductor's platform, except at a terminus when the carriages are stationary. Provided that this bye-law shall not apply to carriages approved by the Board of Trade with one man only in charge.

II. The carriages on the tramway shall be brought to a standstill as soon as possible whenever it is necessary to avoid impending danger.

III. A printed copy of these regulations and bye-laws shall be kept in a conspicuous position inside of each carriage in use on the tramway.

Penalty.

NOTE.—Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

Signed by order of the Board of Trade, this 6th day of May, 1912.

The code of bye-laws of the Metropolitan Electric Tramways Co., under section 46 of the Tramways Act, 1870, applies to the above tramway.

HARROW ROAD AND PADDINGTON TRAMWAYS.

S.R. & O., 1912, No. 491.

REGULATIONS AND BYE-LAWS, DATED 6TH MAY, 1912, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE HARROW ROAD AND PADDINGTON TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the Harrow Road and Paddington Tramways Act, 1903 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on all or any of such tramways.

The Orders of the Board of Trade in this behalf, dated the 15th day of April, 1907, and the 11th day of May, 1910 (so far as it relates to the Harrow Road and Paddington Tramways), are hereby rescinded.

Regulations.

I. Every motor carriage used on the tramways shall comply with the following requirements, that is to say:— Requirements of carriages.

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the tramways without the consent of the Board of Trade except

- (a) in the case of the removal of a disabled carriage,
- (b) for the conveyance of salt, sand, and other materials or stores for the purposes of the tramways undertaking.

When trailer carriages are used for the conveyance of salt, &c., under (b) the following requirements shall be complied with:—

- (1) More than one trailer carriage shall not be attached to any motor carriage.
- (2) No passengers shall be carried in any motor carriage to which a trailer carriage is attached.
- (3) The trailer carriage shall be fitted with efficient brakes and there shall be a man on the trailer carriage to attend to the brakes.

III. Every carriage used on the tramways shall be so constructed as to provide or the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. The width of the carriages used on the tramways shall at no point exceed 6 feet 9 inches.

V. The speed at which the carriages shall be driven or propelled along the tramways shall not exceed the rate of *sixteen* miles an hour and the speed through facing points, whether fixed or movable, shall not exceed the rate of *four* miles an hour. Speed.

VI. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the tramways and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe.

VII. The overhead conductors used in connection with the working of the tramways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 20 feet, except where they pass under railway bridges.

VIII. The positive conductor shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so inclosed as to be inaccessible to pedestrians.

IX. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

X. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XI. The trolley standard of every double-deck carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of the standard becoming electrically charged from any defect in the conductors contained within it or in the event of the standard becoming electrically charged to give a distinctive and continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the upper deck of a carriage as long as there is risk of electric shock.

[NOTE.—This regulation will not apply to the trolley base on the top cover of double-deck carriages.]

XII. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XIII. If and whenever telegraph, telephone, or other wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the tramways, efficient guard wires shall be erected and maintained at all such places.

XIV. Every guard wire shall be bonded to the rails through its support at each end and at intervals of not more than five spans.

XV. Every pole to which a gas-lamp bracket is attached after the date of these regulations shall be efficiently bonded to the rails.

Accidents.

XVI. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the tramways, immediate notice thereof shall be given to the Board of Trade.

Penalty.

NOTE.—The Metropolitan Electric Tramways, Limited, or any other company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-laws.

I. Every carriage on the tramways, or where two carriages are coupled together, the front carriage shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every carriage or where two carriages are coupled together, the rear carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

II. The entrance to and exit from the carriages shall be by the hindmost or conductor's platform except at a terminus when the carriages are stationary. Provided that this bye-law shall not apply to carriages approved by the Board of Trade with one man only in charge.

III. The carriages on the tramways shall be brought to a standstill as soon as possible whenever it is necessary to avoid impending danger and on all occasions immediately before reaching the following points:—

In Harrow Road on each side of the junction of Great Western Road.

IV. A printed copy of these regulations and bye-laws shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

Signed by order of the Board of Trade, this 6th day of May, 1912.

The code of bye-laws of the Metropolitan Tramways Co., under section 46 of the Tramways Act, 1870, applies to the above tramways.

HARROW ROAD, PADDINGTON AND METROPOLITAN ELECTRIC TRAMWAYS.

S.R. & O., 1912, No. 392.

REGULATIONS AND BYE-LAW, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE HARROW ROAD TRAMWAY, THE HARROW ROAD AND PADDINGTON TRAMWAYS, AND THE METROPOLITAN ELECTRIC TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the Metropolitan Electric Tramways Act, 1908, the Harrow Road and Paddington Tramways Act, 1903, the North Metropolitan Tramways Act, 1897, and the North Metropolitan Tramways Act, 1902 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-law with regard to the use of electrical power on all or any of such tramways.

Regulations.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage, and not pushed or driven from the rear end.

Disabled
carriages.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage, and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed, or towed by another carriage, or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open, and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the tramway authority and given by the front driver.

Penalty.

NOTE.—The Metropolitan Electric Tramways, Limited, or any other company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-law.

A printed copy of these regulations and this bye-law shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of this bye-law is liable to a penalty not exceeding forty shillings.

Signed by order of the Board of Trade, this 9th day of April, 1912.

COUNTY OF HERTFORD LIGHT RAILWAYS.

S.R. & O., 1914, No. 1442.

REGULATIONS, DATED 22ND SEPTEMBER, 1914, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER ON THE COUNTY OF HERTFORD LIGHT RAILWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by the County of Hertford Light Railways (No. 1) Order, 1904, and the County of Hertford (Cheshunt) Light Railways Order, 1906 and 1911, with respect to the use of electrical power on all or any of the railways which were authorized by the said Orders (hereinafter called "the railways"), and on which the use of such power has been authorized.

The Order of the Board of Trade in this behalf dated the 8th day of May, 1912, is hereby rescinded.

Regulations.

Require-
ments of
carriages.

I. Every motor carriage used on the railways shall comply with the following requirements, that is to say:—

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell which shall be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the railways without the consent of the Board of Trade except

- (a) in the case of the removal of a disabled carriage,
- (b) for the conveyance of salt, sand, and other materials or stores for the purposes of the railways undertaking.

When trailer carriages are used for the conveyance of salt, &c., under (b) the following requirements shall be complied with:—

- (1) More than one trailer carriage shall not be attached to any motor carriage.
- (2) No passengers shall be carried in any motor carriage to which a trailer carriage is attached.
- (3) The trailer carriage shall be fitted with efficient brakes and there shall be a man on the trailer carriage to attend to the brakes.

III. Every carriage used on the railways for the conveyance of passengers shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. The entrance to and exit from the carriages shall be by the hindmost or conductor's platform except at a terminus when the carriages are stationary. Provided that this regulation shall not apply to carriages approved by the Board of Trade with one man only in charge.

V. The carriages on the railways shall be brought to a standstill as soon as possible whenever it is necessary to avoid impending danger.

VI. Every carriage on the railways, or where two carriages are coupled together, the front carriage shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every carriage or where two carriages are coupled together, the rear carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

Carriages running on the Hertford Road shall also carry an oil lamp for use as a rear light in case of failure of the electric current.

VII. The speed at which the carriages shall be driven or propelled along the railways shall not exceed the rate of *sixteen* miles an hour, or such lower rate of speed as is specified below :—

The speed shall not exceed the rate of—

Twelve miles an hour—

In Great North Road, between High Barnet Station, Approach Road, and a point 50 yards north of the Great Northern Railway Bridge.

Eight miles an hour—

(a) In Great North Road, between points 50 yards north and south respectively of the Great Northern Railway Bridge.

(b) In Great North Road, between Chipping Barnet terminus and High Barnet Station Approach Road.

Four miles an hour—

Through facing points, whether fixed or movable.

VIII. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the railways and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe. Electrical apparatus.

IX. The overhead conductors used in connection with the working of the railways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 20 feet, except where they pass under railway bridges.

X. Each positive conductor shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length between every two of which shall be inserted an emergency switch so enclosed as to be inaccessible to pedestrians.

XI. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

XII. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XIII. The trolley standard of every doubled-decked carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of the standard becoming electrically charged from any defect in the conductors contained within it or in the event of the standard becoming electrically charged to give a distinctive and continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the upper deck of a carriage as long as there is risk of electric shock.

[NOTE.—This regulation will not apply to the trolley base on the top cover of double-decked carriages.]

XIV. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XV. If and whenever telegraph, telephone, or other wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the railways, efficient guard wires shall be erected and maintained at all such places.

XVI. Every guard wire shall be bonded to the rails through its support at each end and at intervals of not more than five spans.

XVII. From the date of these regulations no gas-lamp bracket shall be attached to any pole unless triple insulation is provided between the pole and the overhead conductors.

XVIII. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the railways, immediate notice thereof shall be given to the Board of Trade. Accidents.

XIX. A printed copy of these regulations shall be kept in a conspicuous position inside of each carriage in use on the railways.

Penalty.

NOTE.—The Hertford County Council or any person using electrical power on the railways contrary to any of the above regulations is, for every such offence,

subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for breach of these regulations.

Signed by order of the Board of Trade, this 22nd day of September, 1914.

S.R. & O., 1912, No. 399.

REGULATIONS, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE COUNTY OF HERTFORD LIGHT RAILWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger, in the exercise of the powers conferred by the County of Hertford Light Railways (No. 1) Order, 1904, and the County of Hertford (Cheshunt) Light Railways Order, 1906 and 1911, with respect to the use of electrical power on the overhead trolley system on all or any of the railways which were authorized by the said Orders and on which the use of such power has been authorized (hereinafter called "the railways"):

Regulations.

Disabled
carriages.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage, and not pushed or driven from the rear end.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless such carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the Hertfordshire County Council and given by the front driver.

VII. A printed copy of these regulations shall be kept in a conspicuous position inside of each carriage in use on the railways.

Penalty.

NOTE.—The Hertfordshire County Council, or any person using electrical power on the railways contrary to any of the above regulations, is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations.

Signed by order of the Board of Trade, this 9th day of April, 1912.

BYE-LAWS AND REGULATIONS MADE ON THE 19TH DAY OF JULY, 1909, BY THE COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF HERTFORD.

1. The bye-laws and regulations hereinafter set forth shall extend and apply to all carriages of the County Council or their lessees (hereinafter referred to as "the promoters") for the time being in use on the railways, and to all places with respect to which the County Council have power to make bye-laws and regulations under the above-mentioned Orders and Act.

2. The expression "railways" shall include all railways worked by the promoters as the lessees of the County Council.

3. All persons desiring to mount a carriage for the purpose of travelling thereon shall first permit all persons to alight who may be intending to do so. Travelling.

4. Every passenger shall enter or depart from a carriage by the hindermost or conductor's platform and not otherwise.

5. No person shall smoke or carry lighted any pipe, cigar, or cigarette inside any carriage. Nuisances.

6. No person shall swear or use obscene or offensive language, or conduct himself offensively, whilst in or upon any carriage, or spit or commit any nuisance in or upon or against any carriage, station, or premises used in connection with the railways, or in any way wilfully interfere with the comfort of any passenger. No person shall sing or play or perform on any musical instrument, or distribute advertisements, pamphlets, notices, handbills, or tracts of any kind, or beg or collect money, alms, or subscriptions, or sell any article, or play any game or gamble, or paste notices or handbills, or drop or deposit remnants of food or fruit, or any paper, paper-bag, or other thing in which food or fruit may have been carried into or upon any carriage.

7. Any person who is in a state of intoxication, or is affected with any infectious or contagious disease, or who in the opinion of the conductor or other duly authorized officer of the promoters might for any other reason be offensive to passengers shall not be entitled to enter or remain in or on any carriage, and may be prevented from entering in or on any car or any carriage, and shall not enter or mount in or on any carriage after having been requested not to do so by the conductor; and if found in or on any carriage, shall, on the request of the conductor, leave the carriage. Any person whose dress or clothing might in the opinion of the conductor or other duly authorized officer as aforesaid, soil or injure the linings or cushions of the carriage or the dress or clothing of any passenger shall not be entitled to enter or remain in or upon any carriage. Provided that on carriages specially run for artisans, mechanics, and daily labourers no person shall be prevented from entering or remaining in or on a carriage under the provisions of this bye-law, on the ground of the condition of his dress or clothing, if such condition is solely due to the nature of his employment.

8. No passenger or other person shall wilfully obstruct or impede any officer or servant of the promoters in the execution of his duty upon or in connection with any carriage or railway. Obstruction.

9. No person shall wilfully cut, tear, soil, or damage the seats, cushions, linings, or other fittings of any carriage, or remove or deface any number, plate, or printed or other notice in or on the carriage, or place his feet upon or lie upon any seat, or break or scratch any window of or otherwise wilfully damage any carriage; and no person not being a servant of the promoters duly authorized in that behalf shall touch, handle, or interfere with any electric machine or appliance in, under, upon, or about any carriage (except electric bells provided for the use of passengers). Any person acting in contravention of this regulation shall be liable to pay the amount of any damage done, in addition to the penalty prescribed by these bye-laws and regulations. Damage.

10. No dog or other animal shall be allowed in or on any carriage. Any dog or other animal taken into or on any carriage in breach of this regulation shall be removed by the person in charge of such dog or other animal from the carriage immediately upon request by the conductor or other duly authorized officer of the promoters, or in default of compliance with such request may be removed by or under the direction of the conductor, or other duly authorized officer of the promoters. Dogs.

11. No person shall travel in or on any carriage of the promoters, with loaded firearms, or with any dangerous or offensive substance or material or implement. Firearms.

12. Each passenger shall, upon demand, pay to the conductor or other duly authorized officer of the promoters, the fare legally demandable for the journey and accept a ticket corresponding thereto. Fares.

13. Each passenger shall show his ticket (if any) when required so to do, to the conductor or other duly authorized officer of the promoters, and shall also when required so to do, either deliver up his ticket or pay the fare legally demandable for the journey. Tickets.

14. No passenger shall wilfully alter or deface his ticket so as to render the number or any material portion thereof illegible, or shall use or attempt to use a ticket on any day for which such a ticket is not available, nor use a ticket which has already been used on a previous journey.

15. Any ticket for the time being issued by the promoters in respect of fares shall only be available for the carriage on or for which it is issued, except in the case of transfer, two-journey, or season tickets (if any), and no passenger shall be entitled to leave any carriage for any purpose whatever at any stage and resume his journey by any carriage without the payment of a fresh fare from the point at which the passenger resumed his journey.

Luggage.

16. No luggage which in the opinion of the conductor or other duly authorized officer of the promoters, from its size or otherwise, is unsuitable for conveyance in or upon a carriage, shall be taken in or upon such carriage. Any personal luggage carried by the passengers shall be placed in such part of the carriage as the conductor or other duly authorized officer as aforesaid may direct.

Travelling on steps, &c.

17. No passenger or person other than a servant of the promoters so authorized shall be permitted to travel on the steps or platform of any carriage, or sit on the outside rail on the roof, or remain standing on the roof of any carriage, and any person so acting shall cease to do so immediately on request by the conductor.

18. No person except a passenger or intending passenger shall enter or mount any carriage, and no person shall hold or hang on by or to any part of any carriage.

19. When any carriage contains the full number of passengers which it is licensed to contain, no additional person shall enter, mount, or remain in or on any such carriage when warned by the conductor not to do so.

20. No person shall enter, mount, or leave, or attempt to enter, mount, or leave, any carriage whilst in motion.

21. Any person offending against or committing a breach of these bye-laws and regulations shall be liable to a penalty not exceeding forty shillings for each and every such offence, and shall in addition be liable to be immediately removed from the carriage, and if such person shall have paid his fare he shall not be entitled to demand back the amount of his fare so paid.

22. There shall be placed and kept placed in a conspicuous position inside of each carriage in use, a printed copy of these bye-laws and regulations.

23. These bye-laws and regulations shall come into force on the 1st day of November, 1909.

Given under the Seal of the Hertfordshire County Council at a Council Meeting holden at the Shire Hall, Hertford, within the said County, the 19th day of July, 1909.

Signed by the Board of Trade, 27th September, 1909.

ILFORD URBAN DISTRICT COUNCIL TRAMWAYS.

S.R. & O., 1914, No. 1738.

REGULATIONS AND BYE-LAWS, DATED 23RD NOVEMBER, 1914, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER ON THE ILFORD URBAN DISTRICT COUNCIL TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on all or any of the tramways on which the use of mechanical power has been authorized by the Ilford Urban District Tramways Order, 1899 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on all or any of such tramways.

The Order of the Board of Trade in this behalf, dated the 21st day of December, 1905, is hereby rescinded.

Regulations.

Require-
ments of
carriages.

I. Every motor carriage used on the tramways shall comply with the following requirements, that is to say:—

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw, or by other means, and there shall be in addition an adequate electric brake.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the tramways without the consent of the Board of Trade except

- (a) in the case of the removal of a disabled carriage,
- (b) for the conveyance of salt, sand, and other materials or stores for the purposes of the tramway undertaking.

When trailer carriages are used for the conveyance of salt, &c., under (b) the following requirements shall be complied with:—

- (1) More than one trailer carriage shall not be attached to any motor carriage.
- (2) No passengers shall be carried in any motor carriage to which a trailer carriage is attached.
- (3) The trailer carriage shall be fitted with efficient brakes and there shall be a man on the trailer carriage to attend to the brakes.

III. Every carriage used on the tramways for the conveyance of passengers shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. Every carriage on the tramways, or where two carriages are coupled together, the front carriage shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every carriage or where two carriages are coupled together, the rear carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

V. The speed at which the carriages shall be driven or propelled along the tramways shall not exceed the rate of **Speed.**

Twelve miles an hour—

(a) In Romford Road—

- (1) Between the Urban District Boundary at Chadwell Heath and the eastern end of the single line near the Chadwell schools.
- (2) Between the western end of the single line near the Chadwell schools and Barley Lane.

(b) In Ilford Lane between Loxford Bridge and Rutland Road.

Ten miles an hour—

(a) In Romford Road between Barley Lane and St. Albans Road.

(b) In Romford Road and High Street, between the curve at the railway station and Connaught Road.

(c) In Horns Road—

- (1) Between Chase Lane and the entrance to the "Barnardo" Institution.
- (2) Between Sams Green and Green Gate.

(d) In Ilford Hill between Mill Road and the East Ham boundary.

Six miles an hour—

(a) In Horns Road between Green Gate and Chase Lane.

(b) In Tanners Lane.

(c) In Ilford Lane between Scrafton Road and the Broadway.

(d) In Ilford Hill between the Broadway and Mill Road.

Four miles an hour—

(a) Through facing points whether fixed or movable.

(b) Across the Broadway and round all curves at the Broadway.

(c) In Cranbrook Road, between Broadway and Ley Street.

(d) On the curve at the junction of Tanners Lane and Cranbrook Road.

At all other places the speed shall not exceed the rate of *eight miles an hour.*

VI. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the tramways and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe. **Electrical apparatus.**

VII. The overhead conductors used in connection with the working of the tramways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 20 feet, except where they pass under bridges.

VIII. Each positive conductor shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so inclosed as to be inaccessible to pedestrians.

IX. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

X. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XI. The trolley standard of every double-decked carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of the standard becoming electrically charged from any defect in the conductors contained within it or in the event of the standard becoming electrically charged to give a distinctive and continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the upper deck of a carriage as long as there is risk of electric shock.

[NOTE.—This regulation will not apply to the trolley base on the top cover of double-decked carriages.]

XII. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XIII. If and whenever telegraph, telephone, or other wires unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the tramways, efficient guard wires shall be erected and maintained at all such places.

XIV. Every guard wire shall be bonded to the rails through its support at each end and at intervals of not more than five spans.

XV. From the date of these regulations no gas-lamp bracket shall be attached to any pole unless triple insulation is provided between the pole and the overhead conductors.

Accidents.

XVI. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the tramways, immediate notice thereof shall be given to the Board of Trade.

Penalty.

NOTE.—The Ilford Urban District Council or any company or person using electrical power on the tramways contrary to any of the above regulations are, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-laws.

I. The special bell shall be sounded by the driver of the carriage whenever necessary as a warning.

II. The entrance to and exit from the carriages shall be by the hindmost or conductor's platform except at a terminus or such other point as the Board of Trade may specially approve, when the carriages are stationary. Provided that this bye-law shall not apply to carriages approved by the Board of Trade with one man only in charge.

III. The carriages on the tramways shall be brought to a standstill as soon as possible whenever it is necessary to avoid impending danger and on all occasions immediately before reaching the following points:—

(a) In Romford Road—

- (1) At Barley Lane.
- (2) At St. Alban's Road.

(b) In High Street—

- (1) At Grosvenor Road, on the westward journey.
- (2) At Hainault Street, on the eastward journey.
- (3) At Broadway, on the westward journey.

(c) In Ley Street, at Adelaide Road, on the inward journey.

(d) In Horns Road—

- (1) At Chase Lane, on the inward journey.
- (2) At Birkbeck Road, on the outward journey.

(e) In Tanners Lane, at the entrance to the "Barnardo" Institution.

(f) In Ilford Lane, at Rutland Road, on the inward journey.

IV. A printed copy of these regulations and bye-laws shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or bye-laws.

Signed by order of the Board of Trade, this 23rd day of November, 1914.

S.R. & O., 1912, No. 393.

REGULATIONS AND BYE-LAW, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE ILFORD URBAN DISTRICT COUNCIL TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the Ilford Urban District Tramways Order, 1899 (hereinafter called "the tramways") :

And the Board of Trade do also hereby make the following bye-law with regard to the use of electrical power on all or any of such tramways.

Regulations.

I. (a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage, and not pushed or driven from the rear end. Disabled carriages.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected, except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage, and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open, and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the Ilford District Urban Council and given by the front driver.

Penalty.

NOTE.—The Ilford Urban District Council or any company or person using electrical power on the tramways contrary to any of the above regulations are, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-law.

A printed copy of these regulations and this bye-law shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of this bye-law is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or this bye-law.

Signed by order of the Board of Trade, this 9th day of April, 1912.

BYE-LAWS AND REGULATIONS MADE BY THE ILFORD URBAN DISTRICT COUNCIL (HEREINAFTER CALLED "THE COUNCIL"), AS THE PROMOTERS, UNDER THE POWERS CONFERRED ON THE COUNCIL BY THE TRAMWAYS ACT, 1870.

- Interpretation.** 1. Throughout these bye-laws the word "Council" means the Urban District Council of Ilford, and shall include any lessees or persons for the time being working the tramway system hereinafter referred to, or any portion thereof; the word "tramways" means the tramway system worked by the Council, either within its own boundaries, or within any other area over which the Council has running powers; the word "car" means any carriage or car run by the Council upon the tramways for the conveyance of passengers; the word "conductor" means any officer or servant of the Council having charge of or helping in the charge of a car, and the word "driver" means any officer or servant of the Council driving or assisting to drive a car.
- Penalty.** 2. Any person infringing any of the following bye-laws shall be liable to a penalty of not exceeding (40s.) forty shillings, and in case of a continuing offence to a penalty of not exceeding ten shillings in addition to the first-mentioned penalty, for every day during which such offence continues.
- Offensive language or conduct.** 3. No person shall swear or use obscene or offensive language or conduct himself offensively whilst in or upon any car, or spit, or commit any nuisance in or upon or against any car or tramway station, or premises used in connection with the tramway system, or in any way wilfully interfere with the comfort of any passenger. No person shall sing, or play or perform upon any musical instrument, or distribute advertisements, pamphlets, notices, handbills, or tracts of any kind, or beg or collect money, alms, or subscriptions, or sell or attempt to sell any article, or play any game, or gamble, or paste notices or handbills, or deposit remnants of food or fruit in or upon any car.
- Objectionable persons.** 4. Any person who is in a state of intoxication, or who from that or any other cause is, in the opinion of the conductor, unfit to be a passenger on a car, shall not be allowed to board or enter upon any car, and if any such person be found in or upon any car, he shall be requested by the conductor to leave the car, failing which it shall be lawful for the conductor or any other officer or servant of the Council to remove such person from the car. Any person whose dress or clothing might, in the opinion of the conductor, soil or injure the linings or cushions of a car, or the dress or clothing of any passenger, shall not be entitled to enter or remain in or upon a car.
- Provided that, on cars specially run for artisans, mechanics, and daily labourers, no person shall be prevented from entering or remaining in or upon a car under the provisions of this bye-law on the ground of the condition of his dress or clothing, if such condition is solely due to the nature of his employment.
- Dogs, &c.** 5. No person shall take a dog or other animal into or upon any car, except by the permission of the conductor, nor in any case in which the conveyance of such dog or other animal might be offensive or any annoyance to passengers. Any dog or other animal taken into or found in or upon any car shall be removed by the person in charge thereof from the car immediately upon request by the conductor.
- Damaging cars.** 6. No person shall wilfully cut, tear, soil, or damage the seats, cushions, curtains, or linings, or remove or deface any number plate, printed, or other notice, in or on any car, or break or scratch any window of, or otherwise wilfully damage, any car. Any person acting in contravention of this regulation shall be liable, in addition to the penalty prescribed by these bye-laws, for the amount of any damage so done.
- Smoking.** 7. No person shall smoke or carry a lighted pipe, cigar, or cigarette in or upon any car, except on such seats outside the car as may be specially set apart for persons smoking or desirous of so doing.
- Payment of fares.** 8. Each passenger shall, before leaving the car, or immediately upon demand by the conductor, if such demand shall be first made, pay to the conductor the fare legally payable for his journey and obtain a ticket therefor. Any person leaving a car shall be deemed to have completed his journey.
- No child under five years of age who is sitting on the lap of a passenger shall be liable to pay a fare.
- Tickets.** 9. Each passenger shall, immediately upon demand, produce and hand his ticket to any duly authorized officer or servant of the Council, and shall also, when required so to do, either deliver up his ticket or pay the fare for the distance travelled over by such passenger.
- Tickets shall not be transferable and shall be available only by the car on which they are issued.

10. No person other than the conductor or driver shall change or remove the route indicators or destination boards, or interfere with the controllers, brakes, lights, ventilators, trolley cord, or any part of a car, or its equipment or any switch or point connected with the tramway track, or any frogrope or other appliance or attachment to the equipment of the tramways, or signal a car to start.

Interference with or obstruction to conductor, driver, or other servant.

No passenger or other person shall wilfully obstruct or impede any officer or servant of the Council in the execution of his duty upon or in any car or tramway of the Council.

11. No luggage which, in the opinion of the conductor from its size or otherwise, is unsuitable for conveyance in or upon a car shall be taken in or upon such car. Any personal luggage carried by passengers, or the tools of artisans, mechanics, and daily labourers shall be placed on the front or driver's platform, unless otherwise permitted by the conductor, and if placed on a platform of a car shall be carried at the owner's risk. No package or luggage of any description, unaccompanied by a passenger, shall be conveyed upon any car, except under any regulations or restrictions which the Council may adopt.

Luggage.

12. When any car, or the inside or outside of a car, or any compartment of a car contains the full number of passengers which it is licensed to carry, no additional person shall enter, board, or remain in or upon any such car or portion of such car. The conductor shall not permit any person beyond the licensed number of passengers to enter, board, or remain in or upon any part of a car. All such persons shall leave the car immediately upon the request of the conductor.

Entering full cars.

13. If at any time a car becomes disabled, or in any way injured, or from any cause unable to proceed, the passengers shall, upon the request of the conductor, leave the same, and, if such passenger have paid their fares, shall not be entitled to demand back the amount of their fares so paid. No person shall, except with the leave of the conductor, enter a disabled or injured car.

Disabled cars.

14. No passenger, or other person not being an officer or servant of the Council, shall be permitted to travel on the steps or platforms of any car or stand either on the roof, or, except in accordance with the regulations of the Council exhibited upon such car, in the interior, or sit on the outside rail on the roof of any car, and shall cease to do so immediately on request by the conductor.

Travelling on steps, &c.

No person except a passenger or intending passenger shall enter or board a car, and no person shall hold or hang on by or to any part of a car.

15. No person shall travel in or on any car with loaded firearms, or dangerous or offensive articles, instruments, tools, or implements.

Firearms, &c.

16. Every person shall enter or depart from a car by the step of the hindmost or conductor's platform, and not otherwise, unless so directed by the conductor.

Entering and leaving the cars.

All persons desiring to alight from any car shall do so before any person boards the car for the purpose of travelling thereon, and all persons desiring to board the car shall permit such persons to alight as aforesaid.

17. No person shall enter, board, or leave or attempt to enter, board, or leave any car whilst in motion.

Entering a car when in motion. Persons suffering from disease not to travel on the cars.

18. No person afflicted with any infectious or contagious disease shall board, enter, or travel on any car, or attempt so to do. And no driver or conductor shall suffer or permit any such person so to do.

19. Any person who shall commit, whilst on any car, any legal offence, or any breach of these bye-laws, shall, in addition to being liable to a penalty, be liable to be immediately removed from the car, and, if such person shall have paid his fare, shall not be entitled to demand back the amount of his fare so paid.

Power to remove passengers committing offence.

20. There shall be placed and kept placed in a conspicuous position in each car in use on the tramways a printed copy of these bye-laws.

21. From and after the date of the confirmation of these bye-laws, the bye-laws and regulations made by the Ilford Urban District Council as the promoters, under the powers conferred on the Council by the Tramways Act, 1870, which were confirmed by the Board of Trade on the fourth day of March, One thousand nine hundred and three, shall be repealed.

The Common Seal of the said Urban District Council for the district of Ilford was affixed by order of the Council at a meeting of such Council held on the 24th day of March, 1908.

Board of Trade Certificate, 2nd June, 1908.

On and after 1st January, 1916, the following regulations as to the conveyance of parcels upon the Council's tramcars will operate, viz. :—

Parcels.

1. A charge of one penny per package or carriage will be made for all luggage, parcels, or packages (other than personal luggage not exceeding

28 lb. in weight which will be carried free) and folding carriages or mailcars accompanying a passenger, except such small packages as can be conveniently carried on the lap of a passenger, and which do not occupy any empty seat.

2. Passengers must not take inside the car any package that may be a hindrance or annoyance to other passengers.

3. All large packages and carriages accompanying passengers must be placed on the platform at the rear or front of the car as convenient.

4. Passengers must not take on a car any package that exceeds 4 feet in height or 18 inches in width or depth approximately.

5. The following articles will not be carried : Bags of coal, soot, flour, and manure, butcher's meat and fish (unless in baskets and covered in), open cans or pails of liquid in any form, sweep's brushes and bicycles.

6. The Council accepts no responsibility for the safe transit of passengers' luggage, parcels, or folding carriages, nor for any damage or loss sustained thereto. Any luggage or parcel placed on platform of car is there entirely at owner's risk. Passengers must themselves see to the safe custody of their property.

By order of the Council.

29th December, 1915.

LEYTON URBAN DISTRICT COUNCIL TRAMWAYS.

S.R. & O., 1914, No. 1650.

REGULATIONS AND BYE-LAWS, DATED 6TH NOVEMBER, 1914, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER ON THE LEYTON URBAN DISTRICT COUNCIL TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on all or any of the tramways on which the use of mechanical power has been authorized by the Leyton Urban District Council Act, 1898, and the Leyton Urban District Council Act, 1904 (hereinafter called "the tramways") :

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on all or any of such tramways.

The Order of the Board of Trade in this behalf, dated the 19th day of January, 1907, is hereby rescinded.

Regulations.

I. Every motor carriage used on the tramways shall comply with the following requirements, that is to say :—

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition a slipper brake or other track brake approved by the Board of Trade for use on the tramways.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the tramways without the consent of the Board of Trade except

- (a) in the case of the removal of a disabled carriage,
- (b) for the conveyance of salt, sand, and other materials or stores for the purposes of the tramway undertaking.

When trailer carriages are used for the conveyance of salt, &c., under (b) the following requirements shall be complied with :—

- (1) More than one trailer carriage shall not be attached to any motor carriage.
- (2) No passengers shall be carried in any motor carriage to which a trailer carriage is attached.
- (3) The trailer carriage shall be fitted with efficient brakes and there shall be a man on the trailer carriage to attend to the brakes.

III. Every carriage used on the tramways for the conveyance of passengers shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. Every carriage on the tramways, or where two carriages are coupled together, the front carriage shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every carriage or where two carriages are coupled together, the rear carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

V. The speed at which the carriages shall be driven or propelled along the tramways shall not exceed the rate of:—

Sixteen miles an hour—

- (a) In Lea Bridge Road, between the Lea Bridge and Blythe Road.
- (b) In Lea Bridge Road, between Markhouse Road and Vicarage Road.
- (c) In Lea Bridge Road and Woodford New Road, between Essex Road and the terminus near St. Peter's Church.
- (d) In Whipp's Cross Road, between Lea Bridge Road and Bush Road.

Four miles an hour—

- (a) Round all curves of 66 feet or less radius.
- (b) Through facing points, whether fixed or movable.
- (c) In Lea Bridge Road when crossing Markhouse Road.
- (d) In High Road (Leytonstone) when crossing Cann Hall Road.

At all other places the speed shall not exceed the rate of *twelve miles an hour*.

VI. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the tramways and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe. Electrical apparatus.

VII. The overhead conductors used in connection with the working of the tramways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 20 feet, except where they pass under bridges.

VIII. Each positive conductor shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so inclosed as to be inaccessible to pedestrians.

IX. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

X. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XI. The trolley standard of every double-decked carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of the standard becoming electrically charged from any defect in the conductors contained within it or in the event of the standard becoming electrically charged to give a distinctive and continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the upper deck of a carriage as long as there is risk of electric shock.

[NOTE.—This regulation will not apply to the trolley base on the top cover of double-decked carriages.]

XII. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XIII. If and whenever telegraph, telephone, or other wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the tramways, efficient guard wires shall be erected and maintained at all such places.

XIV. Every guard wire shall be bonded to the rails through its support at each end and at intervals of not more than five spans.

XV. From the date of these regulations no gas-lamp bracket shall be attached to any pole unless triple insulation is provided between the pole and the overhead conductors.

XVI. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the tramways, immediate notice thereof shall be given to the Board of Trade. Accidents.

Penalty.

NOTE.—The Leyton Urban District Council or any company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a daily penalty not exceeding five pounds.

Bye-laws.

I. The special bell shall be sounded by the driver of the carriage whenever necessary as a warning.

II. The entrance to and exit from the carriages shall be by the hindermost or conductor's platform except at a terminus when the carriages are stationary. Provided that this bye-law shall not apply to carriages approved by the Board of Trade with one man only in charge.

III. The carriages on the tramways shall be brought to a standstill as soon as possible whenever it is necessary to avoid impending danger and on all occasions immediately before reaching the following points:—

- (a) In High Road, Leyton, before reaching Capworth Street.
- (b) In Lea Bridge Road before reaching Church Road, on the journey towards Clapton.
- (c) In Lea Bridge Road at College Road, on the journey towards the Forest.
- (d) In Lea Bridge Road at Essex Road, on the journey from the Forest.
- (e) In Lea Bridge Road before reaching Wood Street, on the journey towards Leyton.
- (f) In Cann Hall Road, and Crownfield Road, before reaching High Road, Leytonstone.

IV. A printed copy of these regulations and bye-laws shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or bye-laws.

Signed by order of the Board of Trade this 6th day of November, 1914.

S.R. & O., 1912, No. 394.

REGULATIONS AND BYE-LAW, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE LEYTON URBAN DISTRICT COUNCIL TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the Leyton Urban District Council Act, 1898, and the Leyton Urban District Council Act, 1904 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-law with regard to the use of electrical power on all or any of such tramways.

Regulations.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage and not pushed or driven from the rear end.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

Disabled
carriages.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage, and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open, and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the Leyton Urban District Council and given by the front driver.

Penalty.

NOTE.—The Leyton Urban District Council or any company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a daily penalty not exceeding five pounds.

Bye-law.

A printed copy of these regulations and this bye-law shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of this bye-law is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or this bye-law.

Signed by order of the Board of Trade, this 9th day of April, 1912.

BYE-LAWS AND REGULATIONS MADE BY THE LEYTON URBAN DISTRICT COUNCIL
UNDER THE TRAMWAYS ACT, 1870.

1. Throughout these bye-laws the word "council" means the Leyton Urban District Council, and shall include any lessees or persons for the time being working the tramway system hereinafter referred to; the word "tramways" means the tramway system worked by the council; the word "car" means any carriage or car run by the council upon the tramways for the conveyance of passengers; the word "conductor" means any officer or servant of the council having charge of or helping in the charge of a car, and the word "driver" means any officer or servant of the council driving or assisting to drive a car. Interpretation.
2. Any person infringing any of the following bye-laws shall be liable to a penalty of not exceeding (40s.) forty shillings, and in case of a continuing offence to a penalty of not exceeding ten shillings, in addition to the first-mentioned penalty, for every day during which such offence continues. Penalty.
3. No person shall swear or use obscene or offensive language or conduct himself offensively whilst in or upon any car, or spit, or commit any nuisance in or upon or against any car or tramway station, or premises used in connection with the tramway system, or in any way wilfully interfere with the comfort of any passenger. No person shall sing, or play or perform upon any musical instrument, or distribute advertisements, pamphlets, notices, handbills, or tracts of any kind, or beg or collect money, alms or subscriptions, or sell any article, or play any game, or gamble, or paste notices or handbills, or deposit remnants of food or fruit in or upon any car. Offensive language or conduct.
4. Any person who is in a state of intoxication, or who from that or any other cause is, in the opinion of the conductor, unfit to be a passenger on a car, shall not be allowed to board or enter upon any car, and if any such person be found in or upon any car, he shall be requested by the conductor to leave the car, failing which, it shall be lawful for the conductor or any other officer or servant of the council to remove such person from the car. Any person whose dress or clothing might, in the opinion of the conductor, soil or injure the linings or cushions of a car, or the dress or clothing of any passenger, shall not be entitled to enter or remain in or upon a car. Objectionable persons.
5. No person shall take a dog or other animal into or upon any car. Any dog or other animal taken into or found in or upon any car shall be removed by the person in charge thereof from the car immediately upon request by the conductor. Dogs, &c.
6. No person shall wilfully cut, tear, soil, or damage the seats, cushions, curtains or linings, or remove or deface any number plate, printed or other notice, in or on any car, or break or scratch any window of, or otherwise wilfully damage Damaging cars.

any car. Any person acting in contravention of this bye-law shall be liable, in addition to the penalty prescribed by these bye-laws, for the amount of any damage so done.

Smoking. 7. No person shall smoke or carry lighted pipes, cigars or cigarettes in or upon any car, except on such seats outside the car as may be specially set apart for persons smoking or desirous of so doing.

Payment of fares. 8. Each passenger shall, before leaving the car, or immediately upon demand by the conductor, if such demand shall be first made, pay to the conductor the fare legally payable for his journey and obtain a ticket therefor. Any person leaving a car shall be deemed to have completed his journey.

No child under 5 years of age who is sitting on the lap of a passenger shall be liable to pay a fare.

Tickets. 9. Each passenger shall, immediately upon demand, produce and hand his ticket to any duly authorized officer or servant of the council, and shall also, when required so to do, either deliver up his ticket or pay the fare for the distance travelled over by such passenger.

Tickets shall not be transferable, and shall be available only by the car on which they are issued.

Interference with or obstruction to conductor, driver, or other servant. 10. No person other than the conductor or driver shall change or remove the route indicators or destination boards, or interfere with the controllers, brakes, lights, ventilators, trolley cord, or any part of a car, or its equipment or any switch or point connected with the tramway track, or any frog-rope or other appliance or attachment to the equipment of the tramways, or signal a car to start. Any person acting in contravention of this bye-law shall, in addition to the penalty prescribed by these bye-laws, be liable for and pay for any damage so caused or done.

No passenger or other person shall wilfully obstruct or impede any officer or servant of the council in the execution of his duty upon or in any car or tramway of the council.

Luggage. 11. No luggage which, in the opinion of the conductor, from its size or otherwise, is unsuitable for conveyance in or upon a car shall be taken in or upon such car. Any personal luggage carried by passengers shall be placed in such part of the car as the conductor may direct, and if placed on a platform of the car shall be carried at the owner's risk.

Entering full cars. 12. When any car, or the inside or outside of a car, or any compartment of a car contains the full number of passengers which it is licensed to carry, no additional person shall enter, board, or remain in or upon any such car or portion of such car. The conductor shall not permit any person beyond the licensed number of passengers to enter, board, or remain in or upon any part of a car. All such persons shall leave the car immediately upon the request of the conductor.

Disabled cars. 13. If at any time a car becomes disabled, or in any way injured, or from any cause unable to proceed, the passengers shall, upon the request of the conductor, leave the same, and, if such passengers have paid their fares, shall not be entitled to demand back the amount of their fares so paid. No person shall, except with the leave of the conductor, enter a disabled or injured car.

Travelling on steps, &c. 14. No person, not being an officer or servant of the council, shall travel or ride on the steps, platforms, outside rails, buffers, or guards of any car, and no person, not being an officer or servant of the council, shall stand either on the platforms or on the outside of any car or, except in accordance with the regulations of the council exhibited upon such car, in the interior of a car.

No person except a passenger or intending passenger shall enter or board a car, and no person shall hold or hang on by or to any part of a car.

Firearms, &c. 15. No person shall travel in or on any car with firearms, or dangerous or offensive articles, instruments, tools, or implements, provided that nothing contained in this bye-law shall apply to persons in the naval, military, reserve, or auxiliary forces, travelling in uniform, carrying unloaded firearms.

Entering and leaving cars. 16. Every person shall enter or depart from a car by the step of the hindermost or conductor's platform, and not otherwise, unless so directed by the conductor.

All persons desiring to alight from any car shall do so before any person boards the car for the purpose of travelling thereon, and all persons desiring to board the car shall permit such persons to alight as aforesaid.

Entering a car when in motion. 17. No person shall enter, board, or leave, or attempt to enter, board, or leave any car whilst in motion.

Persons suffering from disease not to travel on cars. 18. No person afflicted with any infectious or contagious disease shall board, enter, or travel on any car, or attempt so to do. And no driver or conductor shall suffer or permit any such person so to do.

19. Any person who shall commit, whilst on any car, any legal offence, or any breach of these bye-laws; shall, in addition to being liable to a penalty, be liable to be immediately removed from the car, and, if such person shall have paid his fare, he shall not be entitled to demand back the amount of his fare so paid.

20. There shall be placed and kept placed in a conspicuous position in each car in use on the tramways a printed copy of these bye-laws.

The Seal of the Leyton Urban District Council was affixed hereto at a meeting of the said council on the 26th day of June, 1906.

Board of Trade Certificate, 21st September, 1906.

Power to remove passengers committing offence.

LONDON COUNTY COUNCIL TRAMWAYS.

S.R. & O., 1914, No. 1098.

REGULATIONS AND BYE-LAWS, DATED 14TH JULY, 1914, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER ON THE LONDON COUNTY COUNCIL TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on all or any of the tramways on which the use of such power has been authorized by the London County Tramways (Electrical Power) Act, 1900, the London County Tramways Act, 1900, the London County Council (Tramways and Improvements) Act, 1901, the London County Council (Subways and Tramways) Act, 1902, the London County Council (Tramways and Improvements) Act, 1902, the London County Council (Tramways and Improvements) Act, 1903, the London County Council (Tramways and Improvements) Act, 1904, the London County Council (Tramways and Improvements) Act, 1906, the London County Council (Tramways and Improvements) Act, 1907, the London County Council (Tramways and Improvements) Act, 1908, the London County Council (Tramways and Improvements) Act, 1909, the London County Council (Tramways and Improvements) Act, 1910, the London County Council (Tramways and Improvements) Act, 1911, and the London County Council (Tramways and Improvements) Act, 1912 (hereinafter called "the tramways").

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on all or any of such tramways.

The Orders of the Board of Trade in this behalf, dated the 15th day of January, 1913, the 29th day of April, 1913, the 4th day of June, 1913, the 23rd day of August, 1913, and the 15th day of October, 1913, are hereby rescinded.

Regulations.

I. Every motor carriage used on the tramways shall comply with the following requirements, that is to say:—

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition a slipper brake or other track brake approved by the Board of Trade for use on the tramways.

The carriages used on the High Street and Highgate Hill section shall be fitted with a slot-rail "grip" brake approved by the Board of Trade, which shall be available for use on both the ascending and descending journeys, and this brake shall be applied to all carriages at the compulsory stopping-place (159) mentioned in Bye-law II, and remain in use throughout the descent.

- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriages or coupled carriages shall be used on the tramways, except—

- (a) in the case of the removal of a disabled carriage;
- (b) for the conveyance of stores and sand, to and from the council's tramway depôts, between the hours of 10 p.m. and 6 a.m.; the trailer or coupled carriage shall be fitted with efficient brakes, and no passengers shall be carried in any carriages which may be used for hauling them;

Requirements of carriages.

- (c) on the portions of the tramways worked by the London County Council south of the River Thames, on the Victoria Embankment, in Vauxhall Bridge Road, in Beaufort Street up to King's Road (Chelsea), and over Westminster, Blackfriars, Vauxhall, and Battersea Bridges respectively, at such times and for such periods and on such terms and conditions as may be approved by the Board of Trade in accordance with the provisions of the London County Council (Tramways and Improvements) Act, 1912.

III. Every carriage used on the tramways for the conveyance of passengers shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

Single-deck carriages only shall be used on the tramways in Queen's Road (Battersea).

IV. Every carriage on the tramways, or where two carriages are coupled together, the front carriage shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every carriage or where two carriages are coupled together, the rear carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

Speed.

V. Except as provided in Regulation VI, the speed at which the carriages shall be driven or propelled along the tramways, shall not exceed the rate of *sixteen* miles an hour, or such lower rate of speed as is specified below.

The speed shall not exceed the rate of—

Twelve miles an hour—

- (1) In South Lambeth Road, between Vauxhall Cross and Archer Street.
- (2) In Wandsworth Road, between Vauxhall Cross and Nine Elms Lane.
- (3) In Queen's Road (Battersea)—
 - (a) between Silverthorne Road and Battersea Park Road;
 - (b) between Baufoy Road and Lavender Hill.
- (4) On Battersea Bridge and in Beaufort Street.
- (5) In St. John's Hill, between the London and South Western Railway bridge and Falcon Road, on the downward journey.
- (6) In York Road—
 - (a) between Falcon Road and the curve at Price's Candle Factory;
 - (b) between the curve at Price's Candle Factory and High Street (Wandsworth).
- (7) In High Street (Putney).
- (8) In Westminster Bridge Road, between York Road and Kennington Road.
- (9) In Balham Hill and Balham High Road, between Nightingale Lane and Balham Station.
- (10) In Brixton Road, between Coldharbour Lane and Stockwell Road.
- (11) In Streatham Hill, between Sunnyside Road and the single line near Gleneldon Road.
- (12) In Streatham High Road, between Heybridge Avenue and the Norbury Terminus, on the downward journey.
- (13) On Blackfriars Bridge.
- (14) In Southwark Street.
- (15) In Southwark Bridge Road, between the Southwark Bridge Terminus and Newington Causeway.
- (16) In Marshalsea Road.
- (17) In Borough High Street, between Marshalsea Road and Borough Road.
- (18) In Lancaster Street.
- (19) In London Road (Southwark).
- (20) In Newington Causeway.
- (21) In Walworth Road, Camberwell Road, and Camberwell Green, between the "Elephant and Castle" and Camberwell New Road.
- (22) In Lordship Lane, between the Dulwich Free Library and Horniman's Museum.
- (23) In High Street (Peckham), between Lyndhurst Road and Melon Street.
- (24) In Queen's Road (Peckham), between Hill Street and Carlton Grove.
- (25) In New Cross Road and Deptford Broadway, between Florence Road and Blackheath Road.
- (26) In Greenwich Road and London Street, between Blackheath Road and Royal Hill.
- (27) In South Street and Lewisham Road.
- (28) In Albion Road (Woolwich), on the downward journey.

- (29) In Woolwich Common Road.
- (30) In Church Street and Dockyard Rails (Woolwich).
- (31) In Plumstead Road, High Street (Plumstead), and Bostall Hill.
- (32) In Tower Bridge Road, before 9.30 a.m.
- (33) On weekdays, in Tooley Street, Dockhead, Parker's Row, Jamaica Road, and Union Road.
- (34) On weekdays, in Deptford Lower Road, between Union Road and Rotherhithe New Road.
- (35) In Lea Bridge Road, between Cornthwaite Road and Lower Clapton Road.
- (36) In Leman Street.
- (37) In Commerical Street, except on Spitalfields Market days.
- (38) In Norton Folgate, between Worship Street and the terminus.
- (39) In High Street (Shoreditch).
- (40) In Great Eastern Street.
- (41) In Old Street, Clerkenwell Road and Theobald's Road, between Great Eastern Street and Devonshire Street.
- (42) In City Road, between Provost Street and Finsbury Pavement.
- (43) In Goswell Road, between Old Street and the terminus.
- (44) In St. John Street, between Rosebery Avenue and Pentonville Road.
- (45) In Essex Road, between Upper Street (Islington) and Colebrooke Row.
- (46) In Dorset Street.
- (47) In Dalston Lane—
 - (a) between Balls Pond Road and Mayfield Road ;
 - (b) across the junction with Queen's Road.
- (48) In Green Lanes, between Petherton Road and the north-east corner of Newington Green.
- (49) In Rosebery Avenue.
- (50) In Farringdon Street, Farringdon Road and King's Cross Road, between the terminus and Calthorpe Street.
- (51) In King's Cross Road, between Pakenham Street and Pentonville Road.
- (52) In Caledonian Road, on the curves in the vicinity of the Canal.
- (53) In Swinton Street.
- (54) In Highgate Road, between Chetwynd Road and Lady Somerset Road.
- (55) In Fulham Palace Road, between Great Church Lane and the Hammer-smith Borough Boundary.

Eight miles an hour—

- (1) In Nine Elms Lane, between Wandsworth Road and a point 50 yards westward of the first level-crossing in Nine Elms Lane.
- (2) In York Road (Battersea), on the curve opposite Price's Candle Factory.
- (3) In Putney Bridge Road—
 - (a) under the London and South Western Railway bridge, between Oakhill Road and the entrance to Wandsworth Park ;
 - (b) between the corner of Burstock Road and High Street (Putney).
- (4) On the curve between Putney Bridge Road and High Street (Putney).
- (5) Over Putney Bridge and in High Street (Fulham), between the southward end of Putney Bridge and New King's Road.
- (6) In Queen Street, Hammersmith Broadway, and Brook Green Road, between Great Church Lane and the Hammersmith Town Hall.
- (7) In The Lawn (Shepherd's Bush).
- (8) Over Westminster Bridge and in Westminster Bridge Road, between the Bridge and York Road.
- (9) On the Victoria Embankment, between John Carpenter Street and the curve on to Blackfriars Bridge.
- (10) In Blackfriars Road, between the south side of Blackfriars Bridge and Stamford Street.
- (11) In Mitcham Lane, between Credenhill Street and Southcroft Road, on the downward journey.
- (12) In Southcroft Road, between Mitcham Lane and Ribblesdale Road.
- (13) In Wanless Road, Hinton Road, and Milkwood Road, between Herne Hill Road and the junction of Milkwood Road with Poplar Walk Road.
- (14) In Herne Hill Road.
- (15) In London Road (Forest Hill), between Horniman's Museum and Dartmouth Road.
- (16) In High Street (Peckham), between Melon Street and Hill Street.

- (17) In Brockley Road, between Shardeloes Road and Cranfield Road.
- (18) On Loampit Hill, between Tyrwhitt Road and Sunning Hill Road, on the downward journey.
- (19) In Church Street (Greenwich).
- (20) In Nelson Street.
- (21) In High Street (Woolwich), Beresford Street and Beresford Square.
- (22) In Military Road, Mill Lane, Thomas Street, Greens End, Beresford Road, and New Road.
- (23) In Basildon Road.
- (24) In Tower Bridge Road, after 9.30 a.m.
- (25) Over Creek Bridge (Deptford).
- (26) In Aberfeldy Street and Leven Road.
- (27) Through Spitalfields Market, between Lamb Street and Duval Street on Market days.
- (28) In High Street (Whitechapel), between Commercial Street and Middlesex Street.
- (29) In Mare Street, between Dalston Lane and Graham Road.
- (30) In Norton Folgate and High Street (Shoreditch), between Worship Street and the corner of Commercial Street.
- (31) On the curves in Balls Pond Road, opposite Kingsbury Road.
- (32) In Balls Pond Road, between Essex Road and Mildmay Park.
- (33) In Newington Green, between the north-east corner of the Green and Mildmay Park.
- (34) In Old Street, between Great Eastern Street and Kingsland Road.
- (35) In Theobald's Road, between Southampton Row and Devonshire Street.
- (36) In Gray's Inn Road—
 - (a) between High Holborn and Clerkenwell Road;
 - (b) on the curve at its junction with Euston Road.
- (37) In Euston Road and Pentonville Road, between King's Cross Road and Pancras Road.
- (38) In Pentonville Road, between Penton Street and the Caledonian Road, on the downward journey.
- (39) On the curves between Euston Road and Pancras Road.
- (40) On the curve between Caledonian Road and Pentonville Road.
- (41) In St. John Street, between St. John's Lane and Clerkenwell Road.
- (42) On King's Cross Bridge.
- (43) On the curves between High Street (Camden Town) and Crowndale Road.
- (44) In High Street (Highgate) and Highgate Hill.
- (45) In Archway Road, between the Tavern and the Archway.
- (46) On all short lengths of single or interlaced track connecting double lines, except on the routes—
 - (a) between Beresford Square and Basildon Road;
 - (b) in South Street and Lewisham Road, between Greenwich Road and Lewisham Hill;
 - (c) in Tooley Street, Parker's Row, Jamaica Road, and Union Road.
- (47) On all curves of from 66 feet to 150 feet radius unless otherwise specified.

Six miles an hour—

- (1) In Cedars Road, from opposite No. 26 to the points of the junction curve leading into Lavender Hill, on the downward journey.
- (2) In Coldharbour Lane, between Flaxman Road and Shakespeare Road.
- (3) In Grove Lane, on the downward journey.
- (4) In Dog Kennel Hill, from Champion Hill to Constance Road, on the downward journey.
- (5) In Lordship Lane, from Goodrich Road to Colwell Road, on the downward journey.
- (6) In Catford Hill, from No. 14 to the west side of Ravensbourne Park, on the eastward journey.
- (7) On the curve between Bridge Street and Church Street (Greenwich).
- (8) On the curves between Church Street and Nelson Street (Greenwich).
- (9) On the curve between Southgate Road and Baring Street.
- (10) On the curve between Balls Pond Road and Mildmay Park.
- (11) Through facing points, whether fixed or movable, on lines worked on the underground conduit system.
- (12) Over all tramway level-crossings.
- (13) Over the facing points leading from Lewisham High Street to High Road (Lee).

Four miles an hour—

- (1) On the curve between Battersea Park Road and Queen's Road.
- (2) On the curve between Lavender Hill and Cedars Road.
- (3) On the curve between Cedars Road and Clapham Common (North Side).
- (4) On the curve between Falcon Road and St. John's Hill.
- (5) On the curve at the south end of Putney Bridge, the junction line between Putney High Street and Richmond Lower Road, and in Lower Richmond Road.
- (6) On the two junction curves between Wimbledon Road and Garratt Lane.
- (7) On the curve between Southcroft Road and Mitcham Lane.
- (8) On the curve between Blackfriars Road and Southwark Street.
- (9) On the curves between Marshalsea Road and High Street (Borough).
- (10) On the curve between Blackfriars Bridge and the Victoria Embankment.
- (11) On the curves on the Victoria Embankment near Waterloo Bridge, at the entrance to the subway.
- (12) On the curve between the Victoria Embankment and Westminster Bridge.
- (13) On the curve between Westminster Bridge Approach and Stangate.
- (14) On the curves at the junction of Stockwell Road, Brixton Road, and Gresham Road.
- (15) On the curve between Gresham Road and Coldharbour Lane.
- (16) On the curve between Effra Road and Morval Road.
- (17) On the curve between Morval Road and Dalberg Road.
- (18) On the curve between Effra Road and Water Lane.
- (19) On the curve between Denmark Hill and Champion Park.
- (20) On the curve between Champion Park and Grove Lane.
- (21) On the curve between Herne Hill Road and Wanless Road.
- (22) On the curve between Poplar Walk Road and Lowden Road.
- (23) Underneath the railway bridge south of Herne Hill Station.
- (24) On the curve between Grove Vale and East Dulwich Road.
- (25) On the curve between Lordship Lane and East Dulwich Road.
- (26) On the curve between Peckham Rye and Cross Road.
- (27) On the curve between Lewisham High Road and Shardeloes Road.
- (28) On the curve between Lewisham High Road and Malpas Road.
- (29) On the curve at the junction of Malpas Road and Brockley Road.
- (30) On the curve between Stanstead Road and Brockley Rise.
- (31) On the curve between Sunderland Road and Stanstead Road.
- (32) On the curve between Park Road and Sunderland Road.
- (33) On the curve at the junction of Nelson Street and Stockwell Street (Greenwich).
- (34) On the curve between Plumstead Road and New Road.
- (35) On the curve between Beresford Road and New Road.
- (36) On the curve between Thomas Street and Greens End.
- (37) In approaching and passing under the railway bridge over Well Hall Road.
- (38) On the curve between Knee Hill and McLeod Road.
- (39) In Knee Hill.
- (40) On the curve between McLeod Road and Basildon Road.
- (41) On the curve between Basildon Road and Bostall Hill.
- (42) On the curve between Tooley Street and Tower Bridge Road.
- (43) On the curve between Dockhead and Parker's Row.
- (44) On the curve in Jamaica Road at New Church Street.
- (45) On the curve between Union Road and Lower Road.
- (46) On the curve at the junction of Great Eastern Street and High Street (Shoreditch).
- (47) On the junction line between High Street (Shoreditch) and Hackney Road.
- (48) On the junction line between Old Street and Hackney Road.
- (49) On the curve between Hackney Road and Cambridge Road.
- (50) On the curve at the junction of Dalston Lane and Amhurst Road.
- (51) In Lower Clapton Road, on the curve at Lesbia Road.
- (52) On the curve between Lower Clapton Road and Lea Bridge Road.
- (53) At the junction between Swinton Street and Gray's Inn Road.
- (54) At the junction between Swinton Street and King's Cross Road.
- (55) In Pemberton Gardens (Islington).
- (56) On the curve between St. John Street and Clerkenwell Road.
- (57) On the curve between St. John Street and Pentonville Road.
- (58) Between St. John Street (Clerkenwell) and High Street (Islington).
- (59) On the curve between City Road and High Street (Islington).

- (60) Across the junction between City Road and Pentonville Road.
- (61) On the curve between Kingsland High Street and Balls Pond Road.
- (62) On the curve between Southgate Road and Balls Pond Road.
- (63) On the curve between Southgate Road and Dorset Street.
- (64) On the curve between Dorset Street and Essex Road.
- (65) On the curve at the north-east corner of Newington Green.
- (66) On the curve between Camden Road and Holloway Road.
- (67) On the curve between Seven Sisters Road and Holloway Road.
- (68) On the curve between Kentish Town Road and Prince of Wales Road.
- (69) On the curve between Prince of Wales Road and Malden Road.
- (70) On the curve between Malden Road and Southampton Road.
- (71) On the curve between Southampton Road and Fleet Road.
- (72) On the curve between Constantine Road and Agincourt Road.
- (73) In Scrubbs Lane, on the curves at the Canal bridge and Railway bridges.
- (74) Through facing points, whether fixed or movable, on lines worked on the overhead trolley system.
- (75) On all other curves of 66 feet radius or less.

VI. The speed in the Kingsway subway between the southern end of Kingsway and the top of the incline at the corner of Southampton Row and Theobald's Road shall not exceed the rate of *twenty* miles an hour.

VII. No carriage shall leave Holborn Station on the journey towards Theobald's Road until the next preceding car has reached the top of the incline in Theobald's Road.

VIII. At all times when carriages are running between the subway and the Victoria Embankment a man shall be stationed at the outlet of the subway to the Victoria Embankment to regulate the traffic on the tramways and to give warning, when necessary, to pedestrians and drivers of vehicles passing along the Embankment, and such warning shall be given by means of a red flag by day and a red lamp at night.

Brakes.

IX. The slipper brake or other track brake shall be applied to all carriages travelling on falling gradients of 1 in 15 or steeper.

The slipper brake shall be applied on the carriages before leaving the compulsory stopping-place at the top of the hill in London Road (Lewisham), and kept applied during the descent, in each direction.

Electrical apparatus.

X. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the tramways and the earth, or between any two conductors in a conduit, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade and subject to such regulations and conditions as they may prescribe.

XI. The overhead conductors used in connection with the working of the tramways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 20 feet, except where they pass under railway bridges.

XII. The working conductors, both overhead and in the conduit, shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so enclosed as to be inaccessible to pedestrians.

XIII. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

XIV. All electrical conductors, fixed upon the carriages used on the tramways, in connection with the trolley wheel or conduit plough, other than those upon which it is necessary that a sliding contact should be made, shall be protected by insulating material of the highest quality.

XV. The trolley standard of every double-decked carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of the standard becoming electrically charged from any defect in the conductors contained within it or in the event of the standard becoming electrically charged to give a distinctive and continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the upper deck of a carriage as long as there is risk of electric shock.

[NOTE.—This regulation will not apply to the trolley base on the top cover of double-decked carriages.]

The following Regulations, Nos. XVI to XIX inclusive shall apply to the portion of the Woolwich-Eltham section of the tramways worked on the twin-wire overhead trolley system instead of Regulations Nos. X to XV.

XVI. Two overhead conductors shall be used, one positive and the other negative. Both conductors shall be insulated from earth along the route, but the negative bus bars may be earthed at the sub-station.

XVII. The electrical pressure or difference of potential between the two overhead conductors used in connection with the working of the tramways shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe.

XVIII. Allelectrical conductors fixed upon the carriages, used on the tramways, in connection with the trolley wheels shall be formed of flexible cables protected by insulating material of the highest quality.

XIX. The trolley standards of every double-decked carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of those standards becoming electrically charged from any defect in the conductors contained within them or in the event of the standards becoming electrically charged to give a distinctive and continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the upper deck of a carriage as long as there is risk of electric shock.

[NOTE.—This regulation will not apply to the trolley base on the top cover of double-decked carriages.]

XX. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XXI. If and whenever telegraph, telephone, or other wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the tramways, efficient guard wires shall be erected and maintained at all such places.

XXII. Every guard wire shall be bonded to the rails through its support at each end and at intervals of not more than five spans.

XXIII. From the date of these regulations no gas-lamp bracket shall be attached to any pole unless triple insulation is provided between the overhead conductors and the pole.

XXIV. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the tramways, immediate notice thereof shall be given to the Board of Trade. Accidents.

Penalty.

NOTE.—The London County Council or any company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-laws.

I. The special bell shall be sounded by the driver of the carriage whenever necessary as a warning.

II. The entrance to and exit from the carriages shall be by the hindmost or conductor's platform except at a terminus when the carriages are stationary.

Provided that where single-deck (subway) carriages are used passengers may alight from either end of the carriage on the near side.

Provided also that where trailer or coupled carriages are used passengers may enter or leave at the hindmost end of the leading carriage or at either end of the rear carriage on the near side.

III. The carriages shall be brought to a standstill as soon as possible whenever it is necessary to avoid impending danger and on all occasions immediately before reaching the following points: Standstill points.

(1) In Battersea Bridge Road—

(a) At Wellington Road, on the southward journey;

(b) at Park Road, on the southward journey.

(2) The curves at the junction of Battersea Bridge Road and Battersea Park Road, before passing round the curves.

(3) The junction of Battersea Park Road and Falcon Road.

- (4) In Queen's Road (Battersea)—
 - (a) at Prince of Wales Road ;
 - (b) at Battersea Park Road ;
 - (c) at the junction of Silverthorne Road, on the outward journey.
- (5) The junction of Queen's Road and Wandsworth Road.
- (6) The curve between Cedars Road and Lavender Hill.
- (7) The curve between Clapham Common (North Side) and Cedars Road.
- (8) The junction of Long Road and Clapham Common (South Side).
- (9) In Vauxhall Bridge Road, before passing Rochester Row, in each direction.
- (10) The junctions at Vauxhall Cross.
- (11) The junction of the tramways in Wandsworth Road and Nine Elms Lane.
- (12) The London, Brighton and South Coast Railway bridge at Wandsworth Road Station.
- (13) The junction of Silverthorne Road and Wandsworth Road.
- (14) In Lavender Hill, at the Battersea Town Hall.
- (15) The junction of Lavender Sweep and Lavender Hill, on the westward journey.
- (16) The junction of St. John's Hill and Falcon Road.
- (17) The junction of Plough Road and Strath Terrace with St. John's Hill.
- (18) In Putney Bridge Road, opposite Oakhill Road, before passing under the London and South Western Railway bridge, on the northward journey.
- (19) In Putney Bridge Road, opposite the entrance to Wandsworth Park, before passing under the London and South Western Railway bridge, on the southward journey.
- (20) In Putney Bridge Road, at Putney High Street.
- (21) Opposite the entrance to the Electric Pavilion in Putney High Street, and opposite the entrance to the same Pavilion in Putney Bridge Road, on the southward journey.
- (22) On the northward journey, at the junction points in Putney High Street at Richmond Lower Road.
- (23) The south end of Putney Bridge, at the curve leading to Lower Richmond Road.
- (24) Subject to any police regulations, in Hammersmith Broadway, opposite the refuge.
- (25) In Shepherd's Bush Road, on the north side of Brook Green.
- (26) Subject to any police regulations, at the crossing over Goldhawk Road.
- (27) Subject to any police regulations, at the crossing over Uxbridge Road.
- (28) In Wood Lane, at a point 27 chains or thereabouts northward of Uxbridge Road, on the southward journey.
- (29) In Scrubbs Lane, at North Pole Road.
- (30) The crossing of Kennington Road and Lambeth Road, before passing over the crossing.
- (31) The crossing of Clapham Road, Kennington Park Road, and Harleyford Road, before passing over the crossing, in each direction.
- (32) The crossing of Clapham Road and South Lambeth Road, before passing over the crossing.
- (33) The Clapham Road Railway bridge, before passing under the bridge.
- (34) The top of Balham Hill, on the outward journey.
- (35) In Balham High Road—
 - (a) at the north side of Station Road, near Balham Railway bridge on the southward journey ;
 - (b) at the Balham Railway bridge, before passing under the bridge on the northward journey.
- (36) The crossing of Camberwell New Road and Brixton Road adjacent to Kennington Church, before passing over the crossing, in each direction.
- (37) The junction of Vassall Road and Brixton Road.
- (38) The junction of Canterbury Road and Brixton Road.
- (39) The junction of Stockwell Road, Gresham Road and Brixton Road.
- (40) The junction of Coldharbour Lane and Brixton Road, on the outward journey.
- (41) The junction of Acre Lane and Brixton Road, on the inward journey.
- (42) In Brixton Hill—
 - (a) at Fairmount Road, on the outward journey ;
 - (b) at Cornwall Road, on the inward journey ;
 - (c) at New Park Road.
- (43) In Streatham Hill, at Christchurch Road.
- (44) In Mitcham Lane—
 - (a) before entering upon the two portions of single line ;
 - (b) at the corner of Credenhill Street.

- (45) The curve between Southcroft Road and Mitcham Lane.
- (46) Before passing over the junction with the Mitcham Road lines, at Amen Corner.
- (47) The crossing at the intersection of Mitcham Road and Defoe Road with High Street (Tooting).
- (48) In Garratt Lane, at the curve near Aldren Road.
- (49) The junction curves between Wimbledon Road and Garratt Lane, in both directions.
- (50) In Brixton Road, before passing through the facing junction into Effra Road on the southward journey.
- (51) The curve between Effra Road and Morval Road, on the southward journey.
- (52) The curve between Morval Road and Dalberg Road, on the southward journey.
- (53) The corner of Dulwich Road and Railton Road, on the southward journey.
- (54) In Norwood Road, before passing through the facing junction into Dulwich and Herne Hill Roads, on the northward journey.
- (55) In Water Lane, before passing round the corner into Effra Road, on the northward journey.
- (56) In Effra Road, before crossing the junction with the lines in Brixton Road, on the northward journey.
- (57) In the subway at the archway in the wing wall of Waterloo Bridge, before passing on to the Victoria Embankment.
- (58) On the Victoria Embankment, before passing round the curves into the subway.
- (59) On the Victoria Embankment, at the curve leading on to Blackfriars Bridge.
- (60) The junction of Southwark Bridge and Blackfriars Road.
- (61) The junction of Gravel Lane and Southwark Street.
- (62) The junction of Southwark Street and Southwark Bridge Road.
- (63) The junction of Marshalsea Road and Southwark Bridge Road.
- (64) The junction of Marshalsea Road, Borough High Street, and Great Dover Street.
- (65) The curves between Marshalsea Road and High Street (Borough).
- (66) The crossing of Borough Road and Southwark Bridge Road.
- (67) The junction of Lambeth Road and St. George's Road.
- (68) In Southwark Bridge Road, before reaching Newington Causeway.
- (69) In Short Street, at the "Elephant and Castle."
- (70) In Walworth Road, at its junction with Hampton Street and Deacon Street.
- (71) The junction of Church Street, Camberwell Road, Camberwell New Road, and Denmark Hill.
- (72) The junction of Coldharbour Lane and Denmark Hill.
- (73) In Coldharbour Lane—
 - (a) at Hinton Road;
 - (b) at Shakespeare Road, on the eastward journey.
- (74) The curve between Coldharbour Lane and Gresham Road.
- (75) The corner of Wanless Road and Hinton Road.
- (76) The junction of Milkwood Road and Poplar Walk Road.
- (77) The curve between Poplar Walk Road and Lowden Road.
- (78) Before passing under the railway bridge to the south of Herne Hill Station.
- (79) In Norwood Road—
 - (a) at the entrance to Brockwell Park, opposite Rosendale Road;
 - (b) at Trinity Road;
 - (c) at Tulse Hill.
- (80) The junction of Grove Lane and Champion Park, on the inward journey.
- (81) The summit of the hill opposite Champion Hill.
- (82) The curves between East Dulwich Road, Grove Vale, and Lordship Lane.
- (83) The junction of Lordship Lane and Barry Road.
- (84) In Lordship Lane, at the corner of Matham Grove, on the inward journey.
- (85) The junction of Honor Oak Road with London Road, on the downward journey.
- (86) At the top of the hill in London Road (Lewisham).
- (87) In Church Street (Camberwell), at Grove Lane.
- (88) In Peckham High Street, at the end of Rye Lane, on the outward journey.
- (89) The junction of Tower Bridge Road, Old Kent Road, and New Kent Road.
- (90) At New Cross Gate, in each direction.
- (91) The junction of Lewisham High Road and New Cross Road.

- (92) The curve between Shardeloes Road and Lewisham High Road.
- (93) The extreme end of Shardeloes Road before turning into Lewisham High Road.
- (94) The corner of Lewisham High Road and Florence Road, on the outward journey.
- (95) The corner of Lewisham High Road and Malpas Road, on the inward journey.
- (96) In Malpas Road, at Vulcan Road.
- (97) In Shardeloes Road, at Vesta Road.
- (98) The public schools in Brockley Road, near Merritt Road, before passing in front of the schools.
- (99) The public schools in Brockley Rise, near Brockley Park, before passing in front of the schools.
- (100) The curve between Stanstead Road and Brockley Rise.
- (101) The curve between Sunderland Road and Stanstead Road.
- (102) In Stanstead Road—
 - (a) at Brockley Rise, in each direction ;
 - (b) at the lodge entrance to St. Dunstan's College, on the downward journey
- (103) In Catford Hill—
 - (a) on the eastward journey, opposite No. 14, Catford Hill.
 - (b) on the westward journey, at the east side of the railway overbridge.
- (104) In Catford Road, at the junction with the lines in Rushey Green.
- (106) The junction of Loampit Vale and High Street (Lewisham).
- (107) In Loampit Vale—
 - (a) opposite Shell Road, on the downward journey ;
 - (b) at the overbridge of the Mid-Kent Railway, on the outward journey.
- (108) The junction of Lewisham Road and Loampit Vale.
- (109) The junction of Lewisham Road and Granville Park, on the southward journey.
- (110) The junction of Blackheath Road and South Street (Greenwich).
- (111) The junction of South Street (Greenwich) and London Street.
- (112) At either end of the single line in London Street (Greenwich).
- (113) The curves at the junction of Nelson Street and Church Street (Greenwich).
- (114) The junction of Blackwall Lane and Trafalgar Road.
- (115) In Woolwich Road at Trinity Street.
- (116) The top of the hill at the point where Albion Road runs into George Street, before descending the hill on the inward journey.
- (117) In High Street (Woolwich)—
 - (a) at Hare Street, on the westward journey ;
 - (b) at Nile Street, on the eastward journey ;
 - (c) before entering the single line near Powis Street, on the westward journey.
- (118) The junction in Beresford Square (Woolwich).
- (119) In High Street (Plumstead)—
 - (a) at Kentmere Road, on the eastward journey ;
 - (b) at Lakedale Road, on the westward journey.
- (120) In Tooley Street, before crossing Tower Bridge Road.
- (121) The curve between Dockhead and Parker's Row.
- (122) Before entering upon the two portions of single line in Jamaica Road, on the inward journey.
- (123) The public schools in Union Road, near Cathay Street, on the outward journey before passing the schools.
- (124) The curve between Union Road and Lower Road.
- (125) Before passing the entrance to the Surrey Commercial Docks, on the outward journey.
- (126) In Evelyn Street—
 - (a) at the Council Schools, on the eastward journey ;
 - (b) at Deptford Park Gates, on the westward journey ;
 - (c) at Rolt Street.
- (127) At Brookmill Lane, in Broadway (Deptford).
- (128) The intersection of Creek Road and High Street (Deptford).
- (129) In Bridge Street (Greenwich), at St. Peter's Schools.
- (130) The curve at the junction of Bridge Street and Church Street (Greenwich).
- (131) The junction of Burdett Road and Grove Road with Mile End Road.
- (132) In Whitechapel Road, at Osborn Street.
- (133) The junctions at the intersection of Commercial Street with High Street (Whitechapel).
- (134) In Dock Street, at Royal Mint Street.

- (135) The junction of Bethnal Green Road and Green Street with Cambridge Road.
- (136) In Mare Street, at Graham Road.
- (137) The junction of Mare Street and Amhurst Road.
- (138) The junction of Dalston Lane and Lower Clapton Road.
- (139) The curve in Lower Clapton Road, at Lesbia Road.
- (140) The junction of Lea Bridge Road and Lower Clapton Road.
- (141) The commencement of the single line over the Great Eastern Railway in Upper Clapton Road.
- (142) The junction of Clapton Common and Stamford Hill.
- (143) In Graham Road, at the junction with Queen's Road, on the inward journey.
- (144) In Hackney Road—
 - (a) at Goldsmith's Row, on the inward journey ;
 - (b) at Tuilerie Street, on the outward journey.
- (145) The curve between Great Eastern Street and High Street (Shoreditch).
- (146) In Great Eastern Street and Commercial Street, before crossing High Street (Shoreditch).
- (147) In Old Street and Great Eastern Street, before passing through Tabernacle Square.
- (148) In Kingsland Road—
 - (a) at Balls Pond Road, on the outward journey ;
 - (b) at Dalston Lane, on the inward journey.
- (149) In Kingsland Road, Old Street, Hackney Road, and High Street (Shoreditch), before passing over the junction.
- (150) In High Street (Stoke Newington)—
 - (a) at Garnham Street, on the inward journey ;
 - (b) at Brooke Road, on the outward journey.
- (151) The junction of Old Street and City Road.
- (152) The junction of Clerkenwell Road and Old Street with Goswell Road.
- (153) In Goswell Road, before crossing Old Street.
- (154) The junction of Clerkenwell Road and St. John Street.
- (155) The corner of Rosebery Avenue and St. John Street.
- (156) Before passing over the junction opposite the "Angel."
- (157) In Upper Street (Islington), at Liverpool Road, on the inward journey.
- (158) In Essex Road, at the junction with Canonbury Road and New North Road.
- (159) In Holloway Road—
 - (a) before passing round the curve into Upper Street ;
 - (b) before crossing Seven Sisters Road ;
 - (c) before passing over the junction leading to Highgate Hill and Archway Road.
- (160) In Highgate Hill, on the descending journey—
 - (a) at Hornsey Lane ;
 - (b) at Bismarck Road ;
 - (c) at Brunswick Road.
- (161) In High Street, at Bisham Gardens, on the descending journey.
- (162) In Seven Sisters Road, before rounding the curve into Holloway Road.
- (163) The junction of Seven Sisters Road and Green Lanes.
- (164) The crossing of Lordship Park and Brownswood Road over Green Lanes.
- (165) The junction of Mildmay Park and Balls Pond Road.
- (166) The curve between Balls Pond Road and Mildmay Park.
- (167) In Dalston Lane, before crossing Kingsland Road.
- (168) In Ball's Pond Road—
 - (a) before turning into or crossing Kingsland Road ;
 - (b) on each side of the single line, at Kingsland Passage ;
 - (c) before turning into or crossing Southgate Road.
- (169) In Southgate Road, before turning into Balls Pond Road.
- (170) The junction of Rosebery Avenue and Clerkenwell Road.
- (171) In Rosebery Avenue, at the Finsbury Town Hall.
- (172) The junction of Gray's Inn Road, Clerkenwell Road, and Theobald's Road.
- (173) The corner of Theobald's Road and Southampton Row.
- (174) The junction of Farringdon Road and Clerkenwell Road.
- (175) In Farringdon Road—
 - (a) opposite Calthorpe Street, on the outward journey ;
 - (b) at Cross Street, on the northward journey.
- (176) The junction of Rosebery Avenue and Farringdon Road.
- (177) In King's Cross Road, opposite Pakenham Street, on the inward journey.

- (178) The junction of Swinton Street and King's Cross Road, in each direction.
 - (179) The junction of Swinton Street and Gray's Inn Road.
 - (180) In King's Cross Road, at the public convenience near the corner of Weston Street, on the inward journey, so long as the portion of line in King's Cross Road, between King's Cross and Swinton Street, is used solely for inward traffic.
 - (181) The junction of King's Cross Road and Pentonville Road.
 - (182) In Pentonville Road, at the top of the hill, on the journey towards King's Cross.
 - (183) On the eastward journey in Euston Road at Liverpool Street.
 - (184) In Caledonian Road, and on King's Cross Bridge, before crossing Pentonville Road.
 - (185) In Pancras Road—
 - (a) before entering Euston Road ;
 - (b) at its junction with Midland Road.
 - (186) The junction of Crowndale Road and Great College Street.
 - (187) The junction of Georgiana Street and Great College Street.
 - (188) The junction of Camden Road and Great College Street.
 - (189) The curve between Camden Road and High Street (Camden Town).
 - (190) The junction between High Street (Camden Town) and Camden Road.
 - (191) The curve between Chalk Farm Road and Ferdinand Street.
 - (192) The junction of Malden Crescent and Prince of Wales Road.
 - (193) The curve between Prince of Wales Road and Malden Road.
 - (194) The curve between Malden Road and Southampton Road.
 - (195) The curve between Southampton Road and Fleet Road.
 - (196) In Agincourt Road, before passing the schools.
 - (197) The junction of Agincourt Road and Mansfield Road.
 - (198) The junction of Prince of Wales Road and Kentish Town Road.
 - (199) The curve between Kentish Town Road and Prince of Wales Road.
 - (200) In Highgate Road—
 - (a) at Chetwynd Road, on the descending journey ;
 - (b) the commencement of the single line near Lady Somerset Road, in each direction ;
 - (c) at the junction with Fortress Road, on the southward journey, before passing over the junction.
 - (201) In Fortress Road, before passing Highgate Road, on the southward journey.
 - (202) The corner of Fortress Grove and Fortress Road, on the southward journey.
 - (203) The junction of Dartmouth Park Hill and Brecknock Road with Junction Road.
 - (204) The junction between Junction Road and Highgate Hill.
 - (205) The junctions of York Road and Brecknock Road with Camden Road.
- IV. A printed copy of these regulations and bye-laws shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

Signed by order of the Board of Trade, this 14th day of July, 1914.

S.R. & O., 1912, No. 395

REGULATIONS AND BYE-LAW, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE LONDON COUNTY COUNCIL TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley and underground conduit systems on all or any of the tramways on which the use of mechanical power has been authorized by the London County Tramways (Electrical Power) Act, 1900, the London County Tramways Act, 1900, the London County Council (Tramways and Improvements) Act, 1901, the London County Council (Subways and Tramways) Act, 1902, the London County Council (Tramways and Improvements) Act, 1902, the London County Council (Tramways and Improvements) Act, 1903, the London County Council (Tramways and Improvements) Act, 1904, the London County Council (Tramways and Improvements)

Act, 1906, the London County Council (Tramways and Improvements) Act, 1907, the London County Council (Tramways and Improvements) Act, 1908, the London County Council (Tramways and Improvements) Act, 1909, the London County Council (Tramways and Improvements) Act, 1910, and the London County Council (Tramways and Improvements) Act, 1911 (hereinafter called "the tramways").

And the Board of Trade do also hereby make the following bye-law with regard to the use of electrical power on all or any of such tramways.

Regulations.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage, and not pushed or driven from the rear end. Disabled carriages.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected, except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage, and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open, and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the London County Council and given by the front driver.

Penalty.

NOTE.—The London County Council or any company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-law.

A printed copy of these regulations and this bye-law shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of this bye-law is liable to a penalty not exceeding forty shillings.

Signed by order of the Board of Trade, this 9th day of April, 1912.

By S.R. & O. No. 225 of 1913 the above regulations apply to any of the tramways authorized by the London County Council (Tramways and Improvements) Act, 1912.

S.R. & O., 1914, No. 1386.

REGULATION AND BYE-LAW, DATED 30TH OCTOBER, 1914, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER ON THE LONDON COUNTY COUNCIL TRAMWAYS IN ADDITION TO THE REGULATIONS AND BYE-LAWS, DATED 14TH JULY, 1914.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following additional regulation for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on all or any of the tramways on which the use of such power has been authorized by the London County Council (Tramways and Improvements) Act, 1910 (hereinafter called "the tramways").

And the Board of Trade do also hereby make the following additional bye-law with regard to the use of electrical power on all or any of such tramways.

Regulation.

Speed. The speed at which the carriages shall be driven or propelled along the tramways shall not exceed the rate of—

Twelve miles an hour—

- (a) In Canonbury Road, between St. Paul's Road and Alwyne Lane.
- (b) In New North Road, between Essex Road and Morton Road.
- (c) Over Regent's Canal bridge, between Poole Street and Baring Street.

Eight miles an hour—

In St. Paul's Road.

Four miles an hour—

- (a) On the curve between St. Paul's Road and Canonbury Road.
- (b) On the curve between Upper Street and St. Paul's Road.
- (c) On the curve between Canonbury Road and Essex Road.
- (d) On the curve between New North Road and Baring Street.

Bye-law.

Standstill points. The carriages on the tramway shall be brought to a standstill on all occasions immediately before reaching the following points:—

- (a) In Canonbury Road and New North Road, before turning into or crossing Essex Road.
 - (b) In New North Road—
 - (1) At Baring Street on the inward journey.
 - (2) At Bookham Street on the inward journey.
 - (3) At Murray Street on the outward journey.
 - (c) In East Road, at Brunswick Place, on the inward journey.
- This regulation and this bye-law shall be read with the regulations and bye-laws made by the Board of Trade for the London County Council Tramways on the 14th day of July, 1914.

Signed by order of the Board of Trade, this 30th day of October, 1914.

S.R. & O., 1915, No. 1161.

ADDITIONAL REGULATIONS AND BYE-LAWS, DATED 18TH NOVEMBER, 1915,
MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER ON THE
LONDON COUNTY COUNCIL TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following additional regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on all or any of the tramways on which the use of such power has been authorized by the London County Council (Tramways and Improvements) Act, 1910, the London County Council (Tramways and Improvements) Act, 1911, and the London County Council (Tramways and Improvements) Act, 1913 (hereinafter called "the tramways").

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on such tramways.

Regulations.

I. The regulations numbered I to XXIV inclusive, made by the Board of Trade in this behalf for the London County Council Tramways on the 14th day of July, 1914, shall apply, so far as applicable, to all or any of the tramways authorized by the above-mentioned Act of 1913.

Speed. II. The speed at which the carriages shall be driven or propelled along the tramways shall not exceed the rate of:—

Twelve miles an hour—

- (a) In High Street, Wandsworth.
- (b) In Waldram Road between the railway overbridge and Park Road.

Eight miles an hour—

In London Road, Devonshire Road, and Waldram Road between Havelock Street and the railway overbridge.

Four miles an hour—

- (a) On the curve between Putney Bridge Road and High Street, Wandsworth.
- (b) On the curve between High Street, Wandsworth, and Garratt Lane.

Penalty.

NOTE.—The London County Council or any company or person using electrical power on the tramways contrary to any of the regulations applied by Regulation I, or to the above Regulation II, is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-laws.

I. The special bell shall be sounded by the driver of the carriage whenever necessary as a warning.

II. The entrance to and exit from the carriages shall be by the hindermost or conductor's platform except at a terminus when the carriages are stationary.

Provided that where single-deck (subway) carriages are used passengers may alight from either end of the carriage on the near side.

Provided also that where trailer or coupled carriages are used passengers may enter or leave at the hindermost end of the leading carriage or at either end of the rear carriage on the near side.

III. The carriages shall be brought to a standstill as soon as possible whenever it is necessary to avoid impending danger and on all occasions immediately before reaching the following point:—

In London Road, at the curve leading to Devonshire Road, on the descending journey.

IV. A printed copy of these regulations and bye-laws and of the regulations hereby applied shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

Signed by order of the Board of Trade, this 18th day of November, 1915.

BYE-LAW No. 1822 OF 29TH JULY, 1913, MADE BY THE LONDON COUNTY COUNCIL PURSUANT TO SECTION 30 OF THE LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS) ACT, 1912, AND THE METROPOLIS MANAGEMENT ACT, 1855, WITH REGARD TO THE LONDON COUNTY COUNCIL TRAMWAYS.

On occasions when six or more persons being intending passengers by carriages using a tramway of the London County Council are waiting at any stopping-place or terminus upon such tramway to enter such carriages they shall form up in a line or queue two abreast when and as directed by any officer of the London County Council on duty at such stopping-place or terminus, and no person shall take or endeavour to take a place in such line or queue, when formed, out of proper order, or shall enter or endeavour to enter any such carriage out of the order in which he stood in such line or queue.

Queues of passengers.

Any person offending against this bye-law shall be liable on summary conviction to a penalty not exceeding forty shillings.

Nothing in this bye-law shall be deemed to diminish or otherwise affect any powers possessed by officers of the Metropolitan Police for maintaining order and preventing obstruction of traffic.

BYE-LAWS AND REGULATIONS MADE BY THE MINISTRY OF TRANSPORT ON THE 27TH JULY, 1920, UNDER THE PROVISIONS OF SECTION 7 OF THE LONDON COUNTY TRAMWAYS ACT, 1896, AND SECTION 43 OF THE LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS) ACT, 1911, AND SECTION 32 OF THE LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS) ACT, 1912.

1. The bye-laws and regulations hereinafter set forth shall extend and apply to all carriages of the London County Council (hereinafter called the council), and to all tramways of the Council and to all streets and places wherein the same are situated.

2. The expression "conductor" shall include any officer or servant in the employment of the council and having charge of a carriage.

3. Every passenger shall enter or depart from a carriage by the hindermost or conductor's platform and not otherwise, except when so directed by the conductor at a terminus when the carriages are stationary.

Travelling.

Provided that (a) in the case of single-deck (subway) carriages passengers may enter or depart from either end on the near side of the carriage; (b) in the case of trailer carriages passengers may enter at either end on the near side of the carriage.

Persons wishing to alight shall do so before others enter, and intending passengers must obey the directions of the conductor when necessary to insure this.

4. No person shall enter, or mount upon or leave, or attempt to enter, mount upon or leave, any carriage in motion.

Nuisances.

5. No passenger shall smoke or carry a lighted pipe, cigar, or cigarette in the lower saloon of any carriage.

6. No passenger or other person shall, while travelling in or upon any carriage, sing or play or perform upon any musical instrument.

7. A person in a state of intoxication shall not enter or mount upon any carriage, and if found in or upon any carriage shall leave the carriage immediately on being requested to do so by the conductor.

8. No person shall swear or use obscene or offensive language whilst in or upon any carriage, or wilfully interfere with the comfort of any passenger.

No person, other than a servant of the council collecting fares or distributing printed matter relating to tramway services, shall sell or attempt to sell anything, distribute any printed matter, or collect money for any purpose on any carriage.

No person shall drop or deposit remnants of food or fruit or vegetable matter, or any paper or other thing in which food or fruit has been carried, in or upon any carriage.

9. No person shall commit any nuisance in, on, or against any carriage, tramway station, waiting-room or premises used in connection with the council's tramways.

Damage.

10. No person shall wilfully cut, tear, soil, or damage the seats or blinds, or remove or deface any number plate, printed or other notice in or on any carriage, or place his feet upon or lie upon the seat of any carriage, or scratch or break any window of or otherwise wilfully damage any carriage.

Any person acting in contravention of this regulation shall be liable to the penalty prescribed by these bye-laws and regulations, in addition to being liable to pay the amount of any damage done.

11. A person whose dress or clothing might, in the opinion of the conductor, soil or injure any part of the carriage or the dress or the clothing of any passenger, or who, in the opinion of the conductor, might for any other reason be offensive to passengers, shall not mount upon, enter, or remain on or in any carriage, and may be prevented from so doing, and if found on or in any carriage shall, on request by the conductor, leave the carriage upon the fare, if previously paid, being returned. Provided that on carriages specially run for artisans, mechanics, and daily labourers no person shall be prevented from entering or remaining in or on a carriage under the provisions of this bye-law on the ground of the condition of his dress or clothing, if such condition is solely due to the nature of his employment.

Fare.

12. Each passenger shall, immediately upon demand, or in case no demand shall have been made, before leaving the carriage, pay to the conductor the fare legally demandable for his journey, and accept a ticket therefor.

Ticket.

13. Each passenger shall show his ticket (if any), when required so to do, to the conductor or other duly authorized servant of the council, and shall also, when required so to do, either deliver up his ticket or pay the fare legally demandable for the distance travelled over by such passenger.

14. A person not being an artisan, mechanic, or daily labourer, within the true intent and meaning of the statutory provisions relating to the London County Council tramways, shall not use, or attempt to use, any ticket intended only for such artisans, mechanics, or daily labourers.

Luggage.

15. Personal or other luggage exceeding 28 lb. in weight (including the tools of artisans, mechanics and daily labourers) shall, unless otherwise permitted by the conductor, be placed on the front or driver's platform and not elsewhere.

Luggage which, in the opinion of a duly authorized servant of the council, is of a form or description likely to annoy or inconvenience other passengers, or damage any carriage, or obstruct the motorman in any way, shall not be permitted in or upon any carriage.

Travelling.

16. No passenger or other person not being a servant of the council shall travel on the steps or platform of any carriage, or stand on the upper deck, or sit on the railings, guards, or buffers of any carriage, and any person so travelling, standing, or sitting shall cease to do so immediately on request by the conductor.

17. No person, except a passenger or intending passenger, shall enter or mount upon any carriage.

18. No person shall hold by or hang on by or to any part of any carriage or travel therein or thereon otherwise than on a seat provided for passengers, except in the lower saloon with the consent of the conductor.

19. When any carriage contains the full authorized number of passengers a conspicuous notice to that effect shall be placed on the carriage.

20. When any carriage contains the full number of passengers which it is authorized to contain, no additional person shall enter, mount upon or remain in or on any such carriage when warned by the conductor not to do so. Excess passengers.

21. No dog or other animal shall be allowed inside the lower saloon of any carriage. No dog or other animal shall be allowed on the upper deck or upper saloon of any carriage except by permission of the conductor, nor in any case in which the conveyance of such dog or other animal might be offensive or an annoyance to passengers. Any dog or other animal allowed on the upper deck or upper saloon of any carriage shall be carried or held on leash. No person shall take a dog or other animal into or on any carriage after having been requested not to do so by the conductor. Any dog or other animal taken into or on any carriage in breach of this regulation shall be removed by the person in charge of such dog or other animal from the carriage, immediately upon request by the conductor, and in default of compliance with such request, may be removed by or under the direction of the conductor. Dogs.

22. No person shall travel in or on any carriage of the council with loaded firearms, or dangerous or offensive articles, instruments, tools, or implements. Firearms.

23. No passenger shall wilfully obstruct or impede any officer or servant of the council in the execution of his duty upon or in connection with any carriage or tramway of the council, and no unauthorized person shall change or remove the route indicators or destination boards, or interfere with the controllers, brakes, lights, ventilators, trolley cord or any other part of a carriage or its equipment. Obstruction.

24. If at any time a carriage becomes disabled or in any way damaged, or from any cause unable to proceed the passengers shall, upon request of the conductor, leave such disabled or damaged carriage.

If such passengers have paid their fares they shall not be entitled to demand back the amount of their fares so paid, but on production of their tickets such passengers shall be allowed to travel by the next available carriage the remainder of the distance in respect of which they have paid their fares.

No unauthorized person shall enter a disabled or damaged carriage.

25. No person afflicted with an infectious or contagious disease shall board or travel on any carriage or attempt so to do. Infectious diseases.

26. No person shall spit in or upon any carriage, tramway-station, waiting room, or premises used in connection with the council's tramways. Spitting.

27. No person shall alter or deface any ticket which has been issued and whilst it is available for use with intent to enable the council to be defrauded or prejudiced, or knowingly or wilfully use or attempt to use any ticket which shall have been in any respect materially altered or defaced. Tickets.

28. Any ticket issued by the council, unless otherwise expressly stated thereon, or as provided for in Bye-law 24 hereof, shall only be available for the carriage on or for which it is issued. Tickets are available only for the use of the person to whom they are issued.

29. No male person shall, unless duly authorized by the Council, mount or attempt to mount upon any carriage which is run and reserved by the council upon its tramways for female persons only, and on which a notice to that effect is conspicuously exhibited.

In any case in which any carriage is run and reserved for any special purpose, which shall be indicated by a notice conspicuously exhibited upon such carriage, no person other than a duly authorized servant of the council or person for whose conveyance such carriage is reserved shall mount or attempt to mount upon such carriage. Special cars.

30. No carriage using a tramway shall follow another carriage using the same tramway at a less distance from such other carriage than 50 yards, except at traffic junctions or on single lines of tramway unless directed to do so by a properly appointed official of the council, but this shall not be deemed to alter or diminish the powers of the police in controlling the traffic. Following cars.

31. No person shall in any way wilfully impede or interfere with the traffic on a tramway.

32. No driver of a stage carriage other than a carriage using a tramway shall unreasonably stop to take up or set down passengers so as to cause obstruction to the carriages using the tramways.

33. Any person who shall commit whilst in or on any carriage any breach of these bye-laws and regulations shall, if the offence is continued, be liable, in

addition to incurring the penalty hereinafter provided, to be immediately removed from the carriage by or under the direction of the conductor, and if such person shall have paid his fare, he shall not be entitled to claim its return.

34. The conductor shall enforce these bye-laws and regulations, and prevent the breach thereof to the best of his ability.

35. Any person offending against or committing a breach of any of these bye-laws and regulations shall be liable to a penalty not exceeding forty shillings.

36. There shall be placed and kept placed, in a conspicuous position inside of each carriage in use, a printed copy of these bye-laws and regulations.

37. The bye-laws and regulations made by the Board of Trade on the 26th day of January, 1899, the 16th day of April, 1903, the 7th day of December, 1903, and the 9th day of July, 1913, with respect to the tramways of the London County Council, are revoked as from the date the foregoing bye-laws and regulations come into operation.

38. These bye-laws and regulations shall come into operation on the 1st day of August, 1920.

Sealed by order of the Minister of Transport, this 27th day of July, 1920.

* LONDON UNITED TRAMWAYS AND LIGHT RAILWAYS.

S.R. & O., 1906, No. 907.

REGULATIONS AND BYE-LAWS, DATED 7TH DECEMBER, 1906, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE LONDON UNITED TRAMWAYS AND LIGHT RAILWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred with respect to the use of electrical power on the overhead trolley system on all or any of the lines on which the use of mechanical power has been authorized by the London United Tramways Act, 1898, London United Tramways Act, 1899, London United Tramways Act, 1900, London United Tramways Act, 1901, London United Tramways Act, 1902, and the London United Tramways, Limited (Light Railway Extensions), Order, 1898, which was confirmed by the Board of Trade on the 9th May, 1899 (hereinafter called "the lines") :

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on all or any of such lines.

The Order of the Board of Trade in this behalf, dated the 6th day of April, 1905, is hereby rescinded.

Regulations.

Require-
ments of
carriages.

1. Every motor carriage used on the lines shall comply with the following requirements, that is to say :—

(a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.

(b) The wheel shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake.

The carriages used on the Boston Road line shall be fitted with a magnetic track brake in lieu of the electric brake.

(c) It shall be conspicuously numbered inside and outside.

(d) It shall be fitted with a suitable lifeguard, and with a special bell to be sounded as a warning when necessary.

(e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

2. No trailing carriage shall be used on the lines except in the case of the removal of a disabled carriage.

3. Every carriage used on the lines shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

4. Every carriage on the lines shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the

* Certain of the London United Tramways Regulations printed below are repealed and replaced by those shown in the Addenda.

front, and every such carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

The carriages on the Southall to Uxbridge section of the lines shall also carry oil lamps for use as front and rear lamps in case of failure of the electric current.

(5) BOARD OF TRADE REGULATIONS ISSUED 19TH SEPTEMBER, 1917.

KINGSTON HILL.

1. Speed on Kingston Hill on the downward journey between the terminus Speed. and Brunswick Road should be limited to 8 miles an hour.

2. Compulsory stops should be made by all cars before entering the facing points at the two loops on Kingston Hill.

Fourteen miles an hour—

- (a) In Claremont Road.
- (b) In Portsmouth Road, between the commencement of the line at Winter's Bridge and the junction with Brighton Road.
- (c) In Ewell Road, between Victoria Road and the termination of the line at Red Lion Lane.
- (d) In Boston Road, between Elthorne Park Road and the bridge over the London and South Western Railway at Brentford Station.
- (e) In Burlington Road, West Barnes Lane, and Coombe Lane.
- (f) In Pepys Road and Worple Road.

Twelve miles an hour—

- (a) In Staines Road, between Bath Road and Barrack Road.
- (b) In Richmond Road, between Beaufort Mews and Montpelier Row.
- (c) In Richmond Road, between Orleans Lodge Gate and Sion Row.
- (d) In Hampton Court Road and The Terrace, between the entrance to Bushey Park near the "Greyhound" Hotel and the approach to Kingston Bridge in Hampton Wick.
- (e) In Kingston Hill and London Road, between the terminus in Kingston Hill and Alexandra Terrace.
- (f) In Penrhyn Road.
- (g) In Surbiton Crescent.
- (h) In Brighton Road, between Victoria Road and Portsmouth Road.
- (i) In Victoria Road, between Ewell Road and Claremont Road.
- (j) In Cambridge Road and Kingston Road.
- (k) In Richmond Road (Kingston).
- (l) In King's Road (Kingston).

Eight miles an hour—

- (a) In Uxbridge Road, between Clifton House and Shepherd's Bush Green.
- (b) In King Street West, between Goldhawk Road and Rivercourt Road.
- (c) In High Street (Acton) and Acton Vale, between Gunnersbury Lane and Mansell Road.
- (d) Between Brentford Bridge and a point 250 yards west of the same.
- (e) In High Street (Hounslow), between Hanworth Road and Bell Road.
- (f) Between the interlacing lines in Ealing and Hamilton Road (west of the Common).
- (g) In Twickenham Road, between Gumley House and Worton Lane.
- (h) In London Road, between Cole's Bridge and near York Street (except from Amyand Park to the Brewery entrance).
- (i) In Richmond Road, between Church Street and Sion Row.
- (j) In Richmond Road, between Orleans Lodge Gate and Montpelier Row.
- (k) In Richmond Road, between St. Margaret's Road and Ryde House.
- (l) In Stanley Road.
- (m) In King Street (Twickenham).
- (n) In Kingston Road and Upper Teddington Road, between St. Alban's Church and Seymour Road.
- (o) In Wellington Road and High Street (Hampton).
- (p) Through the town of Hillingdon, between the bridge over the River Pinn and the corner of Park Terrace.
- (q) Opposite St. Andrew's Schools.
- (r) Through Uxbridge, between the parish boundary and the terminus.
- (s) In Clarence Street and London Road, between the east side of Kingston Bridge and Alexandra Terrace.
- (t) In Eden Street, and between Clarence Street and St. James' Road.
- (u) In St. James' Road.
- (v) In Victoria Road, between Brighton Road and Claremont Road.
- (w) In Boston Road, between Broadway (Hanwell) and Elthorne Park Road.

- (x) In Lower Boston Road.
- (y) In Boston Road and Half Acre, between the bridge over the London and South Western Railway at Brentford Station and High Street (Brentford).
- (z) In Worple Road opposite the intersection of The Downs.
- (aa) In Francis Grove and St. George's Road.

Six miles an hour—

- (a) In Studland Street, Glenthorne Road, and Beadon Road.
- (b) Between Brentford Gas Works and Brentford Bridge.
- (c) Through the interlacing lines in Ealing.
- (d) Between the Red Lion Inn (Southall) and the west end of Southall.
- (e) In King Street, between the Broadway (Hammersmith) and Rivercourt Road.
- (f) Between Uxbridge Road Station and the western end of Shepherd's Bush Green, in Uxbridge Road and Goldhawk Road, respectively.
- (g) Along the Green, between the drinking fountain at the junction of Staines Road and Lion Road.
- (h) In Ferry Road, High Street (Teddington), Bridge Parade, and Broad Street.
- (i) In Hampton Court Road, between the approach to Hampton Court Bridge and the entrance to Bushey Park near the "Greyhound" Hotel.
- (j) In High Street (Hampton Wick) and Upper Teddington Road, between the approach to Kingston Bridge and Seymour Road.
- (k) In Askew Road, between Haydn Road and Askew Crescent.
- (l) Over Kingston Bridge.
- (m) In Surbiton Road, between Surbiton Crescent and Penrhyn Road.

Four miles an hour—

- (a) Through facing points, whether fixed or movable.
- (b) On the curve between London Road and Twickenham Road (Tramway No. 4a Act, 1900).
- (c) In Richmond Road, between St. Margaret's Road and Cambridge Park.
- (d) In Richmond Road, at Beaufort Mews.
- (e) In London Road, from Amyand Park Road to the Brewery entrance, on the journey towards Brentford.
- (f) On the curves at the junction of London Road, King Street, and York Street.
- (g) In London Road, near the junction with the Hounslow line.
- (h) On the curve between Stanley Road and Hampton Road.
- (i) On the curves adjacent to St. Alban's Church.
- (j) On the curves adjacent to Hampton Green and the approach to Hampton Court Bridge.
- (k) On the curve between King Street and Studland Street.
- (l) On the curve between Studland Street and Glenthorne Road.
- (m) On the curve between Glenthorne Road and Dalling Road.
- (n) On the curve between Paddenswick Road and Goldhawk Road.
- (o) On the curve between Goldhawk Road and Askew Road.
- (p) On the curve between Askew Road and Uxbridge Road.
- (q) On the curve between Boston Road and Broadway (Hanwell).
- (r) On the curve between London Road and Richmond Road (Kingston).
- (s) On all other curves of 66 feet or less radius.

At all other places the speed shall not exceed the rate of *ten miles an hour*.

**Electrical
apparatus.**

6. The electrical pressure or difference of potential between any overhead conductors used in connection with the working of the lines and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe.

7. The overhead conductors used in connection with the working of the lines shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 17 feet, except where they pass under railway bridges. Where the wires are within reach of passengers, conspicuous notices shall be fixed on the bridges or adjoining posts warning the public not to touch the wires.

8. The overhead conductors shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so enclosed as to be inaccessible to pedestrians.

9. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

10. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

11. The trolley standard of every double-decked carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of this standard becoming electrically charged from any defect in the electrical conductors contained within it, or, in the event of the standard becoming electrically charged, to give a continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the top deck of a carriage as long as there is risk of electric shock.

12. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

13. If and whenever telegraph or telephone wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the tramways, efficient guard wires shall be erected and maintained at all such places.

14. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the lines, immediate notice thereof shall be given to the Board of Trade. Accidents.

Penalty.

NOTE.—The London United Tramways (1901), Limited, or any other company or person using electrical power on the lines contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-laws.

1. The entrance to and exit from the carriages shall be by the hindermost or conductor's platform except at a terminus when the carriages are stationary.

2. The carriages shall be brought to a standstill whenever it is necessary to avoid impending danger, and immediately before reaching the following points:— Standstill places.

- (a) At Acton Vale railway bridge.
- (b) At the stopping-place west of Grove Road.
- (c) At the stopping-place west of Horn Lane, on the eastward journey, and at the stopping-place east of Church Road, on the westward journey.
- (d) At the commencement of the interlacing lines in Ealing.
- (e) In Hanwell, between the corner of Lower Boston Road and the River Brent bridge.
- (f) In Twickenham Road, at the Congregational Church at the corner of Worton Lane, on the journey towards London.
- (g) In Twickenham Road, at the Fire Station.
- (h) The junction of Staines Road and Bath Road.
- (i) In Richmond Road, at Montpelier Row.
- (j) In Richmond Road, at Orleans Lodge Gate.
- (k) The junction of York Street and London Road.
- (l) In Hampton Road, at Stanley Road.
- (m) In Hampton Road, at its junction with Staines Road.
- (n) In Heath Road, at Heath Gardens.
- (o) The top of the bridge over the London and South Western Railway bridge, at the east end of Broad Street.
- (p) In Upper Teddington Road, at Hampton Wick Station.
- (q) The junction of High Street (Hampton Wick), The Terrace, Hampton Court Road, and the approach to Kingston Bridge, before passing through the facing points.
- (r) Before passing round the Hampton Green curve.
- (s) Before passing in front of the Hampton Elementary Schools.
- (t) The junction of King Street and Studland Street.
- (u) The junction of Studland Street and Glenthorne Road.
- (v) The junction of Glenthorne Road and Dalling Road.
- (w) The junction of Paddenswick Road and Goldhawk Road.

- (x) The junction of Goldhawk Road and Askew Road.
 - (y) The junction of Askew Road and Uxbridge Road.
 - (z) The junction of Askew Road and Becklow Road.
 - (aa) In Clarence Street, at the intersection of Thames Street.
 - (bb) In Clarence Street and London Road, at Eden Street.
 - (cc) In Eden Street, at the fouling point of the interlacing line.
 - (dd) The junction of Clarence Street and Eden Street.
 - (ee) The junction of London Road and Eden Street.
 - (ff) The junction of Eden Street and St. James Road.
 - (gg) The junction of Surbiton Road and Surbiton Crescent.
 - (hh) The junction of Surbiton Crescent and Claremont Road.
 - (ii) The junction of Claremont Road and Victoria Road.
 - (jj) The junction of Victoria Road and Brighton Road.
 - (kk) The junction of Victoria Road and Ewell Road.
 - (ll) The junction of Brighton Road and Portsmouth Road.
 - (mm) The junction of Boston Road and Lower Boston Road.
 - (nn) Before passing round the curves at the junction of Broadway (Hanwell) and Boston Road.
 - (oo) Before passing round the curves at the junction of Broadway (Hanwell) and Lower Boston Road.
 - (pp) Before passing round the curves at the junction of Richmond Road and King's Road.
 - (qq) Before passing under the London and South Western Railway bridge in Kingston Road.
3. A printed copy of these regulations and bye-laws shall be kept in a conspicuous position inside of each carriage in use on the lines.

Penalty.

NOTE.—Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or bye-laws.

Signed by order of the Board of Trade, this 7th day of December, 1906.

S.R. & O., 1907, No. 820.

REGULATION AND BYE-LAW, DATED 18TH OCTOBER, 1907, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE LONDON UNITED TRAMWAYS AND LIGHT RAILWAYS, IN ADDITION TO THE REGULATIONS AND BYE-LAWS, DATED 7TH DECEMBER, 1906.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following additional regulation for securing to the public reasonable protection against danger in the exercise of the powers conferred by the London United Tramways Act, 1898, London United Tramways Act, 1899, London United Tramways Act, 1900, London United Tramways Act, 1901, London United Tramways Act, 1902, and the London United Tramways, Limited (Light Railway Extensions), Order, 1898, which was confirmed by the Board of Trade on the 9th May, 1899, with respect to the use of electrical power on the overhead trolley system on all or any of the lines on which the use of mechanical power has been authorized by the said Acts and Order (hereinafter called "the lines"):

And the Board of Trade do also hereby make the following additional bye-law with regard to the use of electrical power on all or any of such lines.

Regulation.

Speed.

The speed at which the carriages shall be driven or propelled along the lines shall not exceed the rate of:—

Sixteen miles an hour—

In Plough Lane.

Fourteen miles an hour—

(a) In Merton Road between Hartfield Road and Latimer Road.

(b) In Haydons Road between High Street (Merton) and Plough Lane, except at the narrow place southward of Hubert Road, where the speed shall not exceed the rate of *twelve miles an hour*.

(c) In High Street (Merton) and High Street, Colliers Wood, between Merton Road and Blackshaw Road.

Twelve miles an hour—

- (a) In Wimbledon Hill Road between Mansel Road and the main entrance to Wimbledon Station.
- (b) In Merton Road between Latimer Road and Kingston Road.

Eight miles an hour—

Over the London and South Western Railway Company's bridge between the main entrance to Wimbledon Station and Hartfield Road.

Six miles an hour—

Under all low overbridges.

Four miles an hour—

- (a) On the curve between Wimbledon Hill Road and Worple Road.
- (b) On the curve between Wimbledon Hill Road and St. George's Road.
- (c) On the curve in Merton Road opposite Latimer Road.
- (d) On the curve between Merton Road and High Street, Merton.
- (e) On the curve between High Street (Merton) and Haydons Road.

Bye-law.

The carriages shall be brought to a standstill immediately before reaching the following points :—

Standstill places.

- (a) The junction of Wimbledon Hill Road and Worple Road.
- (b) The junction of Wimbledon Hill Road and St. George's Road.
- (c) The curve in Merton Road opposite Latimer Road.
- (d) The junction of Merton Road and High Street (Merton).
- (e) The junction of High Street (Merton) and Haydons Road.
- (f) The corner of Merton Road and Trinity Road, on the eastward journey.
- (g) The corner of Merton Road and Montague Road, on the westward journey.
- (h) On the south side of Wimbledon Station at the footbridge exit opposite the Prince of Wales Hotel, on the journey towards Tooting.
- (i) Opposite the main entrance to Wimbledon Station, on the journey towards Wimbledon Hill.

This regulation and bye-law shall be read with the regulations and bye-laws made under the above-mentioned Acts of 1898, 1899, 1900, 1901, 1902, and Order of 1898 on the 7th day of December, 1906.

Signed by order of the Board of Trade, this 18th day of October, 1907.

S.R. & O., 1908, No. 1040.

REGULATION, DATED 16TH NOVEMBER, 1908, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE LONDON UNITED TRAMWAYS AND LIGHT RAILWAYS, BY WAY OF ADDITION TO THE REGULATIONS AND BYE-LAWS DATED 7TH DECEMBER, 1906.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulation for securing to the public reasonable protection against danger in the exercise of the powers conferred by the London United Tramways Act, 1900, with respect to the use of electrical power on the overhead trolley system on all or any of the lines on which the use of mechanical power has been authorized by the said Act (hereinafter called "the lines") :

Regulation.

Notwithstanding Regulation V of the code, dated 7th December, 1906, the speed at which the carriages are driven or propelled along the lines in Kingston Road (Teddington) and Upper Teddington Road (Hampton Wick), between St. Alban's Church and the Teddington boundary, may be a rate not exceeding *twelve miles an hour*, and between the Teddington boundary and the northern side of the railway overbridge at Vicarage Road a rate not exceeding *ten miles an hour*.

This regulation shall be read with the regulations and bye-laws made for the London United Tramways and Light Railways, on the 7th day of December, 1906.

Signed by order of the Board of Trade, this 16th day of November, 1908.

S.R. & O., 1912, No. 403.

REGULATIONS AND BYE-LAW, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE LONDON UNITED TRAMWAYS AND LIGHT RAILWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred with respect to the use of electrical power on the overhead trolley system on all or any of the lines on which the use of mechanical power has been authorized by the London United Tramways Act, 1898, London United Tramways Act, 1899, London United Tramways Act, 1900, London United Tramways Act, 1902, and the London United Tramways, Limited (Light Railway Extensions) Order, 1898 (hereinafter called "the lines"):

And the Board of Trade do also hereby make the following bye-law with regard to the use of electrical power on all or any of such lines.

Regulations.

Disabled
carriages.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage and not pushed or driven from the rear end.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage, and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the London United Tramways, Ltd., and given by the front driver.

Penalty.

NOTE.—The London United Tramways, Limited, or any other company or person using electrical power on the lines contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-law.

A printed copy of these regulations and this bye-law shall be kept in a conspicuous position inside of each carriage in use on the lines.

Penalty.

NOTE.—Any person offending against or committing a breach of this bye-law is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or this bye-law.

Signed by order of the Board of Trade, this 9th day of April, 1912.

BYE-LAWS AND REGULATIONS MADE BY THE LONDON UNITED TRAMWAYS LIMITED (HEREINAFTER CALLED "THE COMPANY"), UNDER AND BY VIRTUE OF POWERS CONFERRED ON THE COMPANY BY THE LONDON UNITED TRAMWAYS ACTS, 1873 TO 1904, AND THE ACTS INCORPORATED THEREWITH.

1. The bye-laws and regulations hereinafter set forth shall apply to all carriages of the company, and to all places with respect to which the company have power to make bye-laws or regulations.

2. In these bye-laws the word "conductor" shall mean and include any inspector, driver, conductor, or other officer of the company.

3. Except by direction of the conductor, no person shall enter or depart from a carriage otherwise than by the step of the hindmost platform. All persons desiring to alight from any carriage at any point shall do so before any person enters into or mounts upon such carriage at any point for the purpose of travelling thereon, and all persons desiring to enter into or mount upon the carriage at such point shall first permit such first-named persons to alight as aforesaid. Travelling.

4. No person shall smoke or carry a lighted pipe, cigar, or cigarette inside any carriage. Any person offending against this bye-law shall be liable in addition to incurring the penalty hereinafter mentioned, to be summarily removed from the carriage. Nuisances.

5. No person shall, while travelling in or upon any carriage, play or perform upon any musical instrument.

6. No person in a state of intoxication shall enter or mount upon any carriage, and any such person who shall be found in or upon any carriage may be immediately removed by or under the direction of the conductor.

7. No person shall swear or use obscene or offensive language or behave offensively whilst in or upon any carriage, or spit or commit any nuisance in or upon or against any carriage, or wilfully interfere with the comfort of any passenger.

8. No person shall wilfully cut, tear, soil, or damage the cushions or the linings, or remove or deface any number plate printed, or other notice, in or upon any carriage, or place his feet upon or lie upon any seat, or break or scratch any window of or otherwise wilfully damage any carriage. Any person acting in contravention of this regulation shall be liable to the penalty prescribed by these bye-laws and regulations, in addition to the liability to pay the amount of any damage done. Damage.

9. No person whose clothing or personal condition might, in the opinion of the conductor, soil, or injure any carriage or the linings or cushions thereof, or the clothing of any passenger, or who, in the opinion of the conductor, might for any other reason be offensive to passengers, shall be entitled to enter or remain in or upon any carriage, and any such person may be prevented from entering in or upon any carriage, and shall not enter in or upon any carriage after having been requested not to do so by the conductor, and, if found in or upon any carriage, shall, on the request of the conductor, leave the carriage upon the fare, if previously paid, being returned. Any person offending against this bye-law shall be liable, in addition to incurring the penalty below mentioned, to be summarily removed from the carriage.

10. No person suffering from any contagious or infectious disease shall enter or mount upon any carriage, nor shall any clothing, bedding, or other articles likely to spread any contagious or infectious disease be placed by any person upon any carriage. Infectious diseases.

11. [Repealed, see following page.]

12. When required to do so, each passenger shall show his ticket (if any) to the conductor, and shall either deliver up such ticket or pay the fare legally demandable for the distance travelled over by such passenger. Ticket.

13. Any ticket, for the time being issued by the company in respect of fares, shall be available only for the carriage on or for which it is issued, and no passenger shall be entitled to leave any carriage for any purpose whatever at any stage and resume his journey by a different carriage from that on or for which such ticket was issued except upon payment of a fresh fare from the point at which the passenger entered the second or other carriage.

14. No person other than an artizan, mechanic, or daily labourer within the true intent and meaning of the Company's Acts of Parliament or Orders shall use or attempt to use any ticket intended only for such artisans, mechanics, or daily labourers.

15. Personal or other luggage (including the tools of artisans, mechanics, or daily labourers) shall, unless otherwise permitted by the conductor, be placed on the front or driver's platform, and not in or upon any other part of any carriage. Luggage.

- Travelling. 16. No person, other than an officer or servant of the company, shall travel on the steps or platforms of any carriage, or stand on the roof thereof, or sit on the outside rail on the roof thereof, and any such person shall immediately on request of the conductor cease so to do.
17. No person, other than a passenger, or intending passenger, shall enter into or mount upon any carriage, or shall hold or hang on by or to or be upon any part of any carriage.
- Excess passengers. 18. When any carriage contains in the interior thereof the full number of passengers for which seating accommodation, according to the notice thereof attached to such carriage, is provided in such interior, no person beyond such number shall enter, mount, or remain therein, except by the express permission of the conductor first obtained.
- When any carriage contains on the outside thereof the full number of passengers for which seating accommodation, according to the notice thereof attached to such carriage, is provided on such outside, no person beyond such number shall enter, mount, or remain thereon.
19. No person shall enter, mount, or leave, or attempt to enter, mount, or leave, any carriage whilst in motion.
20. No person shall sell or offer for sale any goods or merchandise of any sort in or upon any carriage of the company.
- Dogs. 21. No dog or other animal shall be allowed in or upon any carriage, in any case in which the conveyance of such dog or other animal may be offensive or an annoyance to passengers, nor in any other case otherwise than by permission of the conductor. No person shall take a dog or other animal into any carriage after having been requested not to do so by the conductor. Any dog or other animal taken into or upon any carriage in breach of this regulation shall be removed from the carriage by the person in charge of such dog or other animal immediately upon request of the conductor, and in default of compliance with such request may be removed by or under the direction of the conductor.
- Firearms. 22. No person with loaded firearms, or gunpowder, or other explosive materials, shall travel in or upon any carriage of the company.
- Obstruction. 23. No unauthorized person shall interfere in any way with the electrical equipment or other mechanical apparatus of any carriage. Any person acting in contravention to this regulation shall be liable to the penalty prescribed by these bye-laws and regulations, in addition to the liability to pay the amount of any damage done to such electrical equipment or other mechanical apparatus.
24. No person shall wilfully obstruct or impede any officer or servant of the company in the execution of his duty upon or in connection with any carriage or tramway of the company.
25. Any person offending against or committing a breach of any of these bye-laws and regulations shall be liable to a penalty not exceeding forty shillings.
26. These bye-laws shall come into force on the 10th day of January, 1905.
- Given under the Common Seal of the London United Tramways Limited, the 20th day of October, 1904.

Certified by Board of Trade, 11th January, 1905.

BYE-LAWS MADE BY THE LONDON UNITED TRAMWAYS LIMITED (HEREINAFTER CALLED "THE COMPANY"), UNDER AND BY VIRTUE OF POWERS CONFERRED ON THE COMPANY BY THE LONDON UNITED TRAMWAYS ACTS, 1873 TO 1914, AND THE ACTS INCORPORATED THEREWITH.

1. Each passenger shall immediately upon demand, and in case no demand shall have been made, before leaving the car, pay to the conductor the fare legally demandable for his journey and accept a ticket therefor. Any passenger leaving a car, except in the case of a passenger holding a transfer ticket changing cars at the recognized transfer point, shall be deemed to have completed his journey.
2. The above bye-law shall be in substitution for Bye-law No. 11 of the company's bye-laws and regulations, dated the 20th day of October, 1904, and shall come into force on the 1st day of October, 1917.
3. There shall be placed and kept placed in a conspicuous position inside of each carriage in use on the tramways a printed copy of these bye-laws and of the bye-laws made by the company on the 20th day of October, 1904.

Given under the Common Seal of the London United Tramways Limited, the 17th day of July, 1917.

Certified by Board of Trade, 21st September, 1917.

Brentford.

BYE-LAWS MADE UNDER SECTION 46 OF THE TRAMWAYS ACT, 1870, BY THE URBAN DISTRICT COUNCIL OF BRENTFORD, FOR THE TRAMWAYS WITHIN THEIR DISTRICT.

1. For the purposes of these bye-laws and regulations the term "car" shall mean any carriage using any tramway laid down within the said district, and the terms "driver" and "conductor" shall respectively mean the driver and conductor or other person having charge of a car.

2. The driver of every car shall so drive the same that it shall not follow a preceding car at a less distance than 50 yards, except in cases of emergency, when the driver shall comply with the directions given by the authority controlling traffic on the spot. Driving.

3. No car shall be stopped within a clear space of 15 yards of another car on a parallel line of rails, nor within a clear space of 15 yards of the intersection or junction of two or more streets or roads.

4. No driver or conductor shall needlessly cause interruption to the ordinary road traffic.

5. In cases where, by reason of the traffic, it becomes necessary for any car to cross over from one set of rails to the other, the car so crossing shall recross the roadway at the next practicable crossing.

6. Every driver, conductor, or other person offending against any of these bye-laws and regulations shall be liable to a penalty not exceeding forty shillings for each offence, and not exceeding for any continuing offence ten shillings for every day during which the offence continues.

7. From and after the date of the confirmation of these bye-laws, the bye-laws and regulations made by the Brentford Local Board on the 27th day of November, 1883, under the powers conferred on them by "The Tramways Act, 1870," shall be repealed.

These bye-laws shall come into force on the 1st day of August, 1904.

The Seal of the said District Council was affixed by order of the Council at a meeting of such council held on the 17th day of May, 1904.

Certified by Board of Trade, 30th July, 1904.

Chiswick.

BYE-LAWS MADE UNDER SECTION 46 OF THE TRAMWAYS ACT, 1870, BY THE URBAN DISTRICT COUNCIL OF CHISWICK IN THE COUNTY OF MIDDLESEX, FOR THE TRAMWAYS WITHIN THEIR DISTRICT.

1. For the purposes of these bye-laws and regulations the term "car" shall mean any carriage using any tramway laid down within the said district, and the terms "driver" and "conductor" shall respectively mean the driver and conductor or other person having charge of a car.

2. The driver of every car shall so drive the same that it shall not follow a preceding car at a less distance than 50 yards, except in cases of emergency, when the driver shall comply with the directions given by the authority controlling traffic on the spot. Driving.

3. No car shall be stopped within a clear space of 15 yards of another car on a parallel line of rails, nor within a clear space of 15 yards of the intersection or junction of two or more streets or roads.

4. No driver or conductor shall needlessly cause interruption to the ordinary road traffic.

5. In cases where, by reason of the traffic, it becomes necessary for any car to cross over from one set of rails to the other, the car so crossing shall recross the roadway at the next practicable crossing.

6. Every driver, conductor, or other person offending against any of these bye-laws and regulations shall be liable to a penalty not exceeding forty shillings for each offence and not exceeding for any continuing offence ten shillings for every day during which the offence continues.

These bye-laws shall come into force on the 15th day of August, 1904.

The Seal of the Chiswick Urban District Council was hereunto affixed, pursuant to a resolution of the council, at a meeting held on the 18th day of May, 1904.

Certified by Board of Trade, 19th August, 1904.

Hampton.

BYE-LAWS MADE UNDER SECTION 46 OF THE TRAMWAYS ACT, 1870, BY THE URBAN DISTRICT COUNCIL OF HAMPTON, IN THE COUNTY OF MIDDLESEX, FOR THE TRAMWAYS WITHIN THEIR DISTRICT.

1. For the purposes of these bye-laws and regulations the term "car" shall mean any carriage using any tramway laid down within the said district, and the terms "driver" and "conductor" shall respectively mean the driver and conductor or other person having charge of a car.

Driving.

2. The driver of every car shall so drive the same that it shall not follow a preceding car at a less distance than 50 yards, except in cases of emergency, when the driver shall comply with the directions given by the authority controlling traffic on the spot.

3. No car shall be stopped within a clear space of 15 yards of another car on a parallel line of rails, nor within a clear space of 15 yards of the intersection or junction of two or more streets or roads.

4. No driver or conductor shall needlessly cause interruption to the ordinary road traffic.

5. In cases where, by reason of the traffic, it becomes necessary for any car to cross over from one set of rails to the other, the car so crossing shall recross the roadway at the next practicable crossing.

6. Every driver, conductor, or other person offending against any of these bye-laws and regulations shall be liable to a penalty not exceeding forty shillings for each offence, and not exceeding for any continuing offence ten shillings for every day during which the offence continues.

The Seal of the Urban District Council of Hampton was hereunto affixed, pursuant to a resolution of the council, at a meeting held on the 10th day of May, 1904.

Hampton Wick.

BYE-LAWS MADE UNDER SECTION 46 OF THE TRAMWAYS ACT, 1870, BY THE URBAN DISTRICT COUNCIL OF HAMPTON WICK FOR THE TRAMWAYS WITHIN THEIR DISTRICT.

I. For the purpose of these bye-laws and regulations the term "car" shall mean any carriage using any tramway laid down within the said district, and the terms "driver" and "conductor" shall respectively mean the driver and conductor or other person having charge of a car.

Driving.

II. The driver of every car shall so drive the same that it shall not follow a preceding car at a less distance than 50 yards, except in cases of emergency, when the driver shall comply with the directions given by the authority controlling traffic on the spot.

III. No car shall be stopped within a clear space of 15 yards of another car on a parallel line of rails, nor within a clear space of 15 yards of the intersection or junction of two or more streets or roads.

Provided, nevertheless, that it shall be lawful to stop cars alongside or opposite to the westerly side of the triangular refuge at the foot of Kingston Bridge.

IV. No driver or conductor shall needlessly cause interruption to the ordinary road traffic.

V. In cases where, by reason of the traffic, it becomes necessary for any car to cross over from one set of rails to the other, the car so crossing shall recross the roadway at the next practicable crossing.

VI. Every driver, conductor, or other person offending against any of these bye-laws and regulations shall be liable to a penalty not exceeding forty shillings for each offence, and not exceeding for any continuing offence ten shillings for every day during which the offence continues.

These bye-laws shall come into force on the 22nd day of August, 1904.

These bye-laws were adopted by the Urban District Council of Hampton Wick by resolution on the 13th day of June, 1904, and the Common Seal of the Council was in pursuance of such resolution hereunto affixed on the said 13th day of June, 1904.

Certified by Board of Trade, 24th August, 1904.

Hanwell.

BYE-LAWS MADE UNDER SECTION 46 OF THE TRAMWAYS ACT, 1870, BY THE URBAN DISTRICT COUNCIL OF HANWELL, IN THE COUNTY OF MIDDLESEX, FOR THE TRAMWAYS WITHIN THEIR DISTRICT.

1. For the purposes of these bye-laws and regulations the term "car" shall mean any carriage using any tramway laid down within the said district, and the terms "driver" and "conductor" shall respectively mean the driver and conductor or other person having charge of a car.

2. The driver of every car shall so drive the same that it shall not follow a preceding car at a less distance than 50 yards, except in cases of emergency, when the driver shall comply with the directions given by the authority controlling traffic on the spot. Driving.

3. No car shall be stopped within a clear space of 15 yards of another car on a parallel line of rails, nor within a clear space of 15 yards of the intersection or junction of two or more streets or roads.

4. No driver or conductor shall needlessly cause interruption to the ordinary road traffic.

5. In cases where, by reason of the traffic, it becomes necessary for any car to cross over from one set of rails to the other, the car so crossing shall recross the roadway at the next practicable crossing.

6. Every driver, conductor, or other person offending against any of these bye-laws and regulations shall be liable to a penalty not exceeding forty shillings for each offence, and not exceeding for any continuing offence ten shillings for every day during which the offence continues.

These bye-laws shall come into force on the 8th day of September, 1904.

The Seal of the Hanwell Urban District Council was hereunto affixed pursuant to a resolution of the council, at a meeting held on the 10th day of May, 1904.

Certified by Board of Trade, 15th July, 1904.

Teddington.

BYE-LAWS MADE UNDER SECTION 46 OF THE TRAMWAYS ACT, 1870, BY THE URBAN DISTRICT COUNCIL OF TEDDINGTON, FOR THE TRAMWAYS WITHIN THEIR DISTRICT.

1. For the purposes of these bye-laws and regulations the term "car" shall mean any carriage using any tramway laid down within the said district and the terms "driver" and "conductor" shall respectively mean the driver and conductor or other person having charge of a car.

2. The driver of every car shall so drive the same that it shall not follow a preceding car at a less distance than 50 yards, except in cases of emergency, when the driver shall comply with the directions given by the authority controlling traffic on the spot. Driving.

3. No car shall be stopped within a clear space of 15 yards of another car on a parallel line of rails, nor within a clear space of 15 yards of the intersection or junction of two or more streets or roads.

4. No driver or conductor shall needlessly cause interruption to the ordinary road traffic.

5. In cases where, by reason of the traffic, it becomes necessary for any car to cross over from one set of rails to the other, the car so crossing shall recross the roadway at the next practicable crossing.

6. Every driver, conductor, or other person offending against any of these bye-laws and regulations shall be liable to a penalty not exceeding forty shillings for each offence, and not exceeding for any continuing offence ten shillings for every day during which the offence continues.

The Seal of the Urban District Council of Teddington was hereunto affixed, pursuant to a resolution at a meeting held on the 13th day of June, 1904.

Certified by Board of Trade, 27th September, 1904.

Twickenham.

BYE-LAWS AND REGULATIONS MADE UNDER SECTION 46 OF THE TRAMWAYS ACT, 1870, BY THE URBAN DISTRICT COUNCIL OF TWICKENHAM, IN THE COUNTY OF MIDDLESEX, FOR THE TRAMWAYS WITHIN THEIR DISTRICT.

Driving.

1. For the purpose of these bye-laws and regulations the term "car" shall mean any carriage using any tramway laid down within the said district, and the terms "driver" and "conductor" shall respectively mean the driver and conductor or other person having charge of a car.

2. The driver of every car shall so drive the same that it shall not follow a preceding car at a less distance than 50 yards, except in cases of emergency, when the driver shall comply with the directions given by the authority controlling traffic on the spot.

3. No car shall be stopped within 15 yards clear of another car on a parallel line of rails, nor within a clear space of 15 yards of the intersection or junction of two or more streets or roads.

4. No driver or conductor shall needlessly cause interruption to the ordinary road traffic.

5. In cases where, by reason of the traffic, it becomes necessary for any car to cross over from one set of rails to the other, the car so crossing shall recross the roadway at the next practicable crossing.

6. Every driver, conductor, or other person offending against any of these bye-laws and regulations shall be liable to a penalty not exceeding forty shillings for each offence, and not exceeding for any continuing offence ten shillings for every day during which the offence continues.

The Common Seal of the said Urban District of Twickenham was hereunto affixed, pursuant to a resolution of the council at a meeting held on the 23rd day of June, 1904.

Certified by Board of Trade, 8th October, 1904.

METROPOLITAN ELECTRIC TRAMWAYS.

S.R. & O., 1912, No. 514.

REGULATIONS AND BYE-LAWS, DATED 15TH MAY, 1912, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE METROPOLITAN ELECTRIC TRAMWAYS.

Requirements of carriages.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the North Metropolitan Tramways Act, 1897, and the North Metropolitan Tramways Act, 1902 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on all or any of such tramways.

The Orders of the Board in this behalf, dated the 20th day of June, 1907 and the 11th day of May, 1910 (so far as it relates to the Metropolitan Electric Tramways), are hereby rescinded.

Regulations.

I. Every motor carriage used on the tramways shall comply with the following requirements, that is to say:—

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the tramways without the consent of the Board of Trade except—

- (a) in the case of the removal of a disabled carriage ;
- (b) for the conveyance of salt, sand, and other materials or stores for the purposes of the tramways undertaking.

When trailer carriages are used for the conveyance of salt, &c., under (b) the following requirements shall be complied with:—

- (1) More than one trailer carriage shall not be attached to any motor carriage.
- (2) No passengers shall be carried in any motor carriage to which a trailer carriage is attached.
- (3) The trailer carriage shall be fitted with efficient brakes and there shall be a man on the trailer carriage to attend to the brakes.

III. Every carriage used on the tramways for the conveyance of passengers shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. Every carriage on the tramways, or where two carriages are coupled together, the front carriage shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every carriage or where two carriages are coupled together, the rear carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

V. The speed at which the carriages shall be driven or propelled along the tramways shall not exceed the rate of *sixteen* miles an hour, or such lower rate of speed as is specified below:—

The speed shall not exceed the rate of—

Twelve miles an hour—

- (a) In High Road (Stamford Hill), between the terminus and St. Ann's Road.
- (b) On the curves at Tottenham Boundary in Fore Street.
- (c) On the curves in Hertford Road, at Popham's Corner.
- (d) On the approaches of the New Road Bridge (Edmonton), on the downward journeys, to the Town Hall on the south and to Popham's Corner on the north.
- (e) In Green Lanes, between Manor House and Endymion Road, on the downward journey.

Four miles an hour—

- (a) Through facing points, whether fixed or movable.
- (b) On the curves between Seven Sisters Road and Green Lanes.
- (c) On the curves between Seven Sisters Road and High Road (Stamford Hill).

VI. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the tramways and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe.

VII. The overhead conductors used in connection with the working of the tramways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 20 feet, except where they pass under railway bridges.

VIII. The positive conductor shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so enclosed as to be inaccessible to pedestrians.

IX. Each separate insulator on the overhead conductors shall be tested not less frequently than once a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

X. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XI. The trolley standard of every double-deck carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of the standard becoming electrically charged from any defect in the conductors contained within it or in the event of the standard becoming electrically charged to give a distinctive and continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the upper deck of a carriage as long as there is risk of electric shock.

[NOTE.—This regulation will not apply to the trolley base on the top cover of double-deck carriages.]

Electrical
apparatus.

XII. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XIII. If and whenever telegraph, telephone, or other wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the tramways, efficient guard wires shall be erected and maintained at all such places.

XIV. Every guard wire shall be bonded to the rails through its support at each end and at intervals of not more than five spans.

XV. [Rescinded, see p. 397.]

Accidents.

XVI. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the tramways, immediate notice thereof shall be given to the Board of Trade.

Penalty.

NOTE.—The Metropolitan Electric Tramways, Limited, and any other company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-laws.

I. The entrance to and exit from the carriages shall be by the hindermost or conductor's platform except at a terminus when the carriages are stationary. Provided that this bye-law shall not apply to carriages approved by the Board of Trade with one man only in charge.

II. The carriages on the tramways shall be brought to a standstill as soon as possible whenever it is necessary to avoid impending danger.

III. A printed copy of these regulations and bye-laws shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or bye-laws.

Signed by order of the Board of Trade, this 15th day of May, 1912.

S.R. & O., 1912, No. 392.

REGULATIONS AND BYE-LAW, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE HARROW ROAD TRAMWAY, THE HARROW ROAD AND PADDINGTON TRAMWAYS, AND THE METROPOLITAN ELECTRIC TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the Metropolitan Electric Tramways Act, 1908, the Harrow Road and Paddington Tramways Act, 1903, the North Metropolitan Tramways Act, 1897, and the North Metropolitan Tramways Act, 1902 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-law with regard to the use of electrical power on all or any of such tramways.

Regulations.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage, and not pushed or driven from the rear end.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

Disabled
carriages.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected, except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage, and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open, and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the Tramway authority and given by the front driver.

Penalty.

NOTE.—The Metropolitan Electric Tramways, Limited, or any other company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-law.

A printed copy of these regulations and this bye-law shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of this bye-law is liable to a penalty not exceeding forty shillings.

Signed by order of the Board of Trade, this 9th day of April, 1912.

S.R. & O., 1914, No. 735.

REGULATION AND BYE-LAWS, DATED 23RD MAY, 1914, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER ON THE METROPOLITAN ELECTRIC TRAMWAYS BY WAY OF ADDITION TO THE REGULATIONS AND BYE-LAWS DATED 15TH MAY, 1912.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulation for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on all or any of the tramways on which the use of mechanical power has been authorized by the North Metropolitan Tramways Act, 1897, and the North Metropolitan Tramways Act, 1902 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on all or any of such tramways.

Regulation.

After the date of this regulation no gas-lamp bracket shall be attached to any pole unless triple insulation is provided between the pole and the overhead conductors.

Regulation XV of the regulations and bye-laws, dated 15th May, 1912, is hereby rescinded.

Bye-laws.

I. The special bell required by Regulation I of the regulations and bye-laws, dated 15th May, 1912, to be fitted to every motor carriage shall be sounded by the driver of the carriage whenever necessary as a warning.

II. The carriages on the tramways shall be brought to a standstill on all occasions immediately before reaching the following point:—

In Manor Hill, at pole No. 78, on the downward journey.

This regulation and these bye-laws shall be read, so far as they can be read, with the regulations and bye-laws made by the Board of Trade for the Metropolitan Electric Tramways on the 15th day of May, 1912.

Signed by order of the Board of Trade, this 23rd day of May 1914.

BYE-LAWS AND REGULATIONS MADE BY THE METROPOLITAN ELECTRIC TRAMWAYS, LIMITED, UNDER POWERS CONFERRED ON THE COMPANY BY THE TRAMWAYS ACT, 1870, FOR REGULATING THE TRAVELLING IN OR UPON ANY CARRIAGE BELONGING TO THE COMPANY.

Company's
bye-laws.

1. The bye-laws and regulations hereinafter set forth shall extend and apply to all carriages of the company, and to all places with respect to which the company have power to make bye-laws and regulations.

2. The expression "tramways" shall include all tramways worked by the company.

Travelling.

3. All persons desiring to mount a car for the purpose of travelling thereon shall first permit all persons to alight who may be intending to do so.

4. Every passenger shall enter or depart from a carriage by the hindermost or conductor's platform, and not otherwise.

Nuisances.

5. No person shall smoke or carry lighted any pipe, cigar, or cigarette inside any carriage.

6. No person shall swear or use obscene or offensive language or conduct himself offensively whilst in or upon any carriage, or spit or commit any nuisance in or upon or against any carriage, or tramway-station, or premises used in connection with the tramways system, or in any way wilfully interfere with the comfort of any passenger. No person shall sing, or play or perform on any musical instrument, or distribute advertisements, pamphlets, notices, handbills, or tracts of any kind, or beg or collect money, alms, or subscriptions, or sell any article, or play any game or gamble, or paste notices or handbills, or drop or deposit remnants of food or fruit or any paper, paper-bag or other thing in which food or fruit may have been carried into or upon any car.

7. Any person who is in a state of intoxication, or is affected with any infectious or contagious disease, or who, in the opinion of the conductor or other duly authorized officer of the company, might for any other reason be offensive to passengers, shall not be entitled to enter or remain in or on any carriage, and may be prevented from entering in or on any carriage, and shall not enter or mount in or on any carriage after having been requested not to do so by the conductor; and if found in or on any carriage shall, on the request of the conductor, leave the carriage. Any person whose dress or clothing might, in the opinion of the conductor of a carriage or other duly authorized officer as aforesaid, soil or injure the linings or cushions of the carriage or the dress or clothing of any passenger, shall not be entitled to enter or remain in or upon any carriage.

Obstruction.

8. No passenger or other person shall wilfully obstruct or impede any officer or servant of the company in the execution of his duty upon or in connection with any carriage or tramway of the company.

Damage.

9. No person shall wilfully cut, tear, soil, or damage the seats, cushions, linings, or other fittings of any carriage, or remove or deface any number plate, printed or other notice in or on the carriage, or place his feet upon or lie upon any seat, or break or scratch any window of or otherwise wilfully damage any carriage; and no person not being a servant of the company duly authorized in that behalf, shall touch, handle, or interfere with any electric machine or appliance in, under, upon, or about any carriage (except electric bells provided for the use of passengers). Any person acting in contravention of this regulation shall be liable to pay the amount of any damage done, in addition to the penalty prescribed by these bye-laws and regulations.

10. [Cancelled, see p. 400.]

Firearms.

11. No person shall travel in or on any carriage of the company with loaded firearms, or with any dangerous or offensive substance or material or implement.

Fare.

12. Each passenger shall, upon demand, pay to the conductor or other duly authorized officer of the company, the fare legally demandable for the journey, and accept a ticket corresponding thereto.

Ticket.

13. Each passenger shall show his ticket (if any) when required so to do, to the conductor or other duly authorized officer of the company; and shall also, when required so to do, either deliver up his ticket or pay the fare legally demandable for the journey.

14. No person shall wilfully alter or deface his ticket so as to render the number or any material portion thereof illegible, or shall use or attempt to use a ticket on any day for which such ticket is not available, or use a ticket which has already been used on a previous journey.

15. Any ticket for the time being issued by the company in respect of fares shall only be available for the carriage on or for which it is issued, except in the case of transfer, two-journey or season tickets (if any), and no passenger shall be entitled to leave any carriage for any purpose whatever at any stage and resume his journey by any carriage, without the payment of a fresh fare from the point at which the passenger resumed his journey.

16. No luggage which, in the opinion of the conductor or other duly authorized officer of the company, from its size or otherwise is unsuitable for conveyance in or upon a carriage, shall be taken in or upon such carriage. Any personal luggage carried by the passengers shall be placed in such part of the carriage as the conductor or other duly authorized officer as aforesaid may direct. Luggage.

17. No passenger or person other than a servant of the company so authorized shall be permitted to travel on the steps or platform of any carriage, or sit on the outside rail on the roof, or remain standing on the roof of any carriage, and any person so acting shall cease to do so immediately on request by the conductor. Travelling.

18. No person, except a passenger or intending passenger, shall enter or mount any carriage, and no person shall hold or hang on by or to any part of any carriage or travel therein otherwise than on a seat provided for passengers (except as hereinafter provided).

19. When any carriage contains the full number of passengers which it is licensed to contain, no additional person shall enter, mount, or remain in or on any such carriage when warned by the conductor not to do so. Excess passengers.

20. No person shall enter, mount, or leave, or attempt to enter, mount, or leave any carriage whilst in motion.

21. Any person offending against or committing a breach of these bye-laws and regulations shall be liable to a penalty not exceeding forty shillings for each and every such offence, and shall in addition be liable to be immediately removed from the carriage, and if such person shall have paid his fare shall not be entitled to demand back the amount of his fare so paid.

22. There shall be placed and kept placed in a conspicuous position inside of each carriage in use a printed copy of these bye-laws and regulations.

23. These bye-laws and regulations shall come into force on the 20th day of February, 1905.

The Common Seal of the Metropolitan Electric Tramways, Limited, was hereunto affixed.

Certified by Board of Trade, 18th February, 1905.

THE FOLLOWING BYE-LAW AND REGULATION, DATED 22ND AUGUST, 1906, WAS MADE WITH THE LIKE AUTHORITY AND SANCTION OF THE BOARD OF TRADE.

1. The bye-law and regulation hereinafter set forth shall extend and apply to all carriages of the company used upon any tramways or light railways, for the time being belonging to or leased to or worked by the company, and to all places with respect to which the company have power to make bye-laws and regulations.

2. Except as hereinafter expressly provided, whenever and so long as the interior of any carriage of the company is occupied by not less than the number of passengers for whom accommodation is stated in the notice attached to or painted on such carriage to be provided in such interior, no additional person (other than the conductor of the carriage or any other duly authorized officer or servant of the company) shall enter or remain or be in such interior, provided that during inclement weather or on Sundays or Bank or other public holidays throughout the day, or on Saturdays after 12 o'clock noon, or (with the consent of the Commissioner of Police of the Metropolis) on special occasions any number of passengers in addition to the number stated as aforesaid but not exceeding one-third of such number may, with the express permission in each case of the conductor

of the carriage first obtained, stand in such part of the interior of such carriage as the said conductor may direct.

3. Any person offending against or committing a breach of this bye-law shall be liable to a penalty not exceeding forty shillings for each and every such offence, and shall in addition be liable to be immediately removed from the carriage, and if such person shall have paid his fare shall not be entitled to demand back the amount of his fare so paid.

4. There shall be placed and kept placed in a conspicuous position inside of each such carriage as aforesaid a printed copy of this bye-law and regulation.

BYE-LAWS AND REGULATIONS MADE BY THE METROPOLITAN ELECTRIC TRAMWAYS, LIMITED, UNDER POWERS CONFERRED ON THE COMPANY BY THE TRAMWAYS ACT, 1870, FOR REGULATING THE CARRIAGE OF DOGS IN OR UPON ANY CARRIAGE BELONGING TO THE COMPANY.

1. The bye-laws and regulations hereinafter set forth shall extend and apply to all carriages of the company and to all places with respect to which the company have power to make bye-laws and regulations.

Dogs.

2. No dog or other animal shall be allowed inside the lower deck of any carriage. No dog or other animal shall be allowed on the upper deck of any carriage except by permission of the conductor, nor in any case in which the conveyance of such dog or other animal might be offensive or an annoyance to passengers. Any dog or other animal allowed on the upper deck of any carriage shall be carried or held on leash. No person shall take a dog or other animal into or upon any carriage after having been requested not to do so by the conductor. Any dog or other animal taken into or upon any carriage in breach of this regulation shall be removed by the person in charge of such dog or other animal from the carriage immediately upon request by the conductor, and in default of compliance with such request may be removed by or under the direction of the conductor.

3. Any person offending against or committing a breach of these bye-laws shall be liable to a penalty not exceeding forty shillings for each and every such offence, and shall in addition be liable to be immediately removed from the carriage, and if such person shall have paid his fare shall not be entitled to demand back the amount of his fare so paid.

4. Bye-law No. 10 of the bye-laws and regulations which came into force on the 20th day of February, 1905, is hereby cancelled.

5. There shall be placed and kept in a conspicuous position inside of each such carriage as aforesaid a printed copy of these bye-laws and regulations.

6. These bye-laws and regulations shall come into force on the 1st day of May, 1914.

The Common Seal of the Metropolitan Electric Tramways, Limited, was hereunto affixed pursuant to a resolution of the Board of Directors on the 20th day of February, 1914.

Certified by Board of Trade, 29th April, 1914.

COUNTY OF MIDDLESEX LIGHT RAILWAYS.

S.R. & O., 1912, No. 516.

REGULATIONS, DATED 16TH MAY, 1912, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE COUNTY OF MIDDLESEX LIGHT RAILWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger, in the exercise of the powers conferred by the County of Middlesex Light Railways Order, 1901, the County of Middlesex Light Railways Order, 1903, the County of Middlesex (Waltham Cross and Enfield) Light Railways Order, 1906, and the County of Middlesex Light Railways (Extension and Lands) Order, 1907, with respect to the use of electrical power on the overhead trolley system on all or any of the railways which were authorized by the said Orders and on which the use of such power has been authorized (hereinafter called "the railways"):

The Orders of the Board of Trade in this behalf, dated the 20th day of June, 1907, the 24th day of October, 1907, the 30th day of December, 1907, the 11th

day of February, 1908, the 14th day of February, 1908, the 17th day of June, 1908, the 26th day of May, 1909, the 7th day of October, 1909, the 21st day of January, 1910, the 2nd day of March, 1910, the 6th day of June, 1910 (as far as it relates to the County of Middlesex Light Railways), the 1st day of December, 1910, and the 24th day of April, 1911, are hereby rescinded.

Regulations.

I. Every motor carriage used on the railways shall comply with the following requirements, that is to say :—

Require-
ments of
carriages.

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake.

The carriages used on the Alexandra Palace routes shall also be fitted with a slipper brake or other track brake approved by the Board of Trade for use on the railways.

- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the railways without the consent of the Board of Trade, except

- (a) in the case of the removal of a disabled carriage,
- (b) for the conveyance of salt, sand, and other materials or stores for the purposes of the railways undertaking.

When trailer carriages are used for the conveyance of salt, &c., under (b) the following requirements shall be complied with :—

- (1) More than one trailer carriage shall not be attached to any motor carriage.
- (2) No passengers shall be carried in any motor carriage to which a trailer carriage is attached.
- (3) The trailer carriage shall be fitted with efficient brakes and there shall be a man on the trailer carriage to attend to the brakes.

III. Every carriage used on the railways for the conveyance of passengers shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

Double-deck carriages shall not be used on the Alexandra Palace Eastern Approach route.

IV. The entrance to and exit from the carriages shall be by the hindermost or conductor's platform, except at a terminus when the carriages are stationary. Provided that this regulation shall not apply to carriages approved by the Board of Trade with one man only in charge.

V. The carriages on the railways shall be brought to a standstill as soon as possible whenever it is necessary to avoid impending danger and on all occasions immediately before reaching the following points :—

- (a) On Muswell Hill, opposite the entrance to the Nursery Gardens, on the downward journey.
- (b) The bottom of Muswell Hill, before entering the curve into Priory Road, on the downward journey.
- (c) On entering the curve at the top of Alexandra Palace Eastern Approach Road, on the downward journey.
- (d) Before entering the curve between Bedford Road and Palace Gates Road, on the downward journey.
- (e) In Red Ridge Road and Village Road, immediately before crossing Bush Hill Road.
- (f) In High Road (Wood Green) before turning into Station Road or Lordship Lane.
- (g) In Green Lanes, at Cranbrook Park, on the downward journey.
- (h) In Station Road (New Southgate) before entering the curve into High Road.
- (i) In Finchley Road at High Street (Child's Hill).
- (j) In Finchley Road at North End Road.
- (k) In Cricklewood Lane before entering Edgware Road.
- (l) In High Road (Willesden) before entering the curve at Pound Lane.
- (m) In High Street (Harlesden) before turning into Acton Lane.

- (n) In Acton Lane (Harlesden) before turning into High Street.
- (o) The commencement of the interlaced lines in Station Road (Harlesden) in each direction.
- (p) In Victoria Road at the junction with Old Oak Lane, on the inward journey.

VI. Every carriage on the railways, or where two carriages are coupled together, the front carriage shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every carriage or where two carriages are coupled together, the rear carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

Speed.

VII. The speed at which the carriages shall be driven or propelled along the railways shall not exceed the rate of *sixteen* miles an hour or such lower rate of speed as is specified below :—

The speed shall not exceed the rate of—

Twelve miles an hour—

- (a) In Hertford Road (Ponders End) between South Street and Southbury Street.
- (b) In High Road (Wood Green), between Commerce Road and Nightingale Road.
- (c) In Buckingham Road and Station Road, between Bridge Road and New River Bridge.
- (d) In Station Road and High Road (New Southgate) from New Southgate railway bridge to Southgate Gas Works, on the downward journey.
- (e) In Archway Road, north of the Archway.
- (f) In Great North Road, between Finchley Boundary and Fortis Green Road, on the falling gradients.
- (g) In Regent's Park Road, over the Great Northern Railway bridge, at Church End Station.
- (h) In Finchley Road, between Hermitage Lane and Carlton Terrace.
- (i) In Edgware Road, on Welsh Harp Hill, on the downward journey.
- (j) In the Broadway, Edgware Road, between Herbert Road and Silk Bridge, on the downward journey.
- (k) In Edgware Road, between Edgware Bridge and Piper's Green Lane.
- (l) In Chichele Road, between Blenheim Gardens and Willesden Green Station.
- (m) In High Road (Willesden), between Chapter Road and Willesden Lane.
- (n) In High Road and Church Road (Willesden), between Pound Lane and Heron Road.
- (o) In Church Road (Willesden), on the curves at West Ella Road.
- (p) In Harrow Road, between West Point House and Wesley Road.
- (q) In Harrow Road, on Deadman's Hill.
- (r) In Harrow Road, between Wembley House and the London and North Western Railway bridge near Sudbury and Wembley Station.
- (s) In Station Road (Willesden), between All Souls' Vicarage and Tubbs Road.
- (t) In Old Oak Lane, between the north and south ends of the Railway Cottages.
- (u) In Victoria Road, between the Metropolitan and South Western Junction Railway bridge and Old Oak Lane.
- (v) In Horn Lane, between the " Duke of York " and Churchfield Road.

Eight miles an hour—

- (a) In Lordship Lane, on the curves at Ellenborough Road and Granville Road.
- (b) In High Road (Wood Green), on Jolly Butchers Hill.
- (c) In Green Lanes, between Palmerston Crescent and the Southgate Urban District Council Offices.
- (d) In Green Lanes, on the curves at Alderman's Hill Corner.
- (e) In Green Lanes, between The Chestnuts and Ford's Grove House.
- (f) On the curve in Green Lanes opposite the " Green Dragon " Public House.
- (g) On the curve between Green Lanes and Red Ridge Road.
- (h) On the curve between London Road and Park Avenue.
- (i) On the curve in London Road (Enfield), opposite Lincoln Road.
- (j) In Enfield Town (Market Place), and on the curve between London Road and Enfield Town.
- (k) In Turnpike Lane, between Wightman Road and Church Lane.

- (l) On Muswell Hill Approach Road to Alexandra Palace, except on falling gradients steeper than 1 in 15.
- (m) In Bridge Road and Bedford Road (Alexandra Palace).
- (n) In Bedford Road.
- (o) In Alexandra Palace Eastern Approach, on the upward journey.
- (p) In Bounds Green Road, between St. Michael's Infant Schools and High Road (Wood Green).
- (q) In High Road (New Southgate) and in Bounds Green Road, from Station Road to Clive Road on the downward journey.
- (r) In Station Road, between Alexandra Road and High Road (New Southgate).
- (s) Over the Great Northern Railway overbridge at New Southgate.
- (t) In Great North Road, between Church Lane and Cemetery Gates, on the downward journey.
- (u) In High Street (Child's Hill), from Finchley Road to All Saints Schools, on the downward journey.
- (v) In Cricklewood Lane, between Oak Grove and Lichfield Road.
- (w) In Walm Lane, on the curves between Melrose Avenue and Blenheim Gardens.
- (x) In High Road (Willesden), between Dudden Hill Lane and Pound Lane.
- (y) In Harrow Road on the curve near the road leading to Sudbury Town District Station.
- (z) In Acton Lane, between the Jubilee Clock Tower and All Souls' Vicarage.
- (aa) In Old Oak Lane, between Tubbs Road and the north end of the Railway Cottages.
- (bb) In Old Oak Lane, between Victoria Road and the south end of the Railway Cottages.
- (cc) On the curves in Edwards Road.
- (dd) On the approaches to the Great Western Railway bridge, Acton Station.

Four miles an hour—

- (a) Through facing points, whether fixed or movable.
- (b) On the curves between Hertford Road and Southbury Road.
- (c) On the curve between High Road (Tottenham) and Bruce Grove.
- (d) On the curve between Bruce Grove and Lordship Lane.
- (e) On the lines and curves at Tramway Centre, Wood Green.
- (f) On the curve between Green Lanes and Turnpike Lane.
- (g) In Turnpike Lane, under the Great Northern Railway bridge.
- (h) On the curves between Muswell Hill and Priory Road.
- (i) On Muswell Hill on gradients steeper than 1 in 15, on the downward journey.
- (j) On the curves between Bridge Road and Buckingham Road.
- (k) On the curves between Bridge Road and Bedford Road.
- (l) In Alexandra Palace Eastern Approach, on the downward journey.
- (m) On the curves between High Road (New Southgate) and Station Road.
- (n) On the curves between Station Road and the Great Northern Railway overbridge (New Southgate).
- (o) On the curves between Great North Road and Woodhouse Road.
- (p) On the curves between Finchley Road and High Street (Child's Hill).
- (q) On the curves between Edgware Road and Cricklewood Lane.
- (r) On the curves between Edgware Road and Chichele Road.
- (s) In Walm Lane, between Willesden Green Station and Chapter Road.
- (t) On the curves between Walm Lane and High Road (Willesden Green).
- (u) On the interlaced track in High Road, Willesden.
- (v) On the curves in High Road (Willesden), at Dudden Hill Lane.
- (w) On the curves in High Road (Willesden), at Pound Lane.
- (x) On the curves at Jubilee Clock in Harrow Road (Willesden).
- (y) On the single-line curve, between High Street (Harlesden) and Acton Lane.

VIII. Until the western portion of the curve in High Road (Willesden), opposite Pound Lane, has been altered so as to provide the necessary clearance, only one of the two tracks between the compulsory stopping points shall be used at one and the same time.

IX. No carriage shall stop to pick up or set down passengers in Alexandra Palace Eastern Approach Road, on the ascending journey.

X. The slipper brake or other track brake should be applied in descending all gradients of 1 in 15 or steeper, and must be applied before starting from the compulsory stopping-place prescribed under Regulation V (c). Brakes.

Electrical
apparatus.

XI. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the railways and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe.

XII. The overhead conductors used in connection with the working of the railways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 20 feet, except where they pass under railway bridges.

At the Great Northern Railway bridge over Turnpike Lane conspicuous notices shall be attached to the bridge, bearing the words: "Danger. Keep your seats."

XIII. The positive conductor shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so enclosed as to be inaccessible to pedestrians.

XIV. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

XV. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XVI. The trolley standard of every double-deck carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of the standard becoming electrically charged from any defect in the conductors contained within it or in the event of the standard becoming electrically charged to give a distinctive and continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the upper deck of a carriage as long as there is risk of electric shock.

[NOTE.—This regulation will not apply to the trolley base on the top cover of double-deck carriages.]

XVII. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XVIII. If and whenever telegraph, telephone, or other wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the railways, efficient guard wires shall be erected and maintained at all such places.

XIX. Every guard wire shall be bonded to the rails through its support at each end and at intervals of not more than five spans.

XX. Every pole to which a gas-lamp bracket is attached after the date of these regulations shall be efficiently bonded to the rails.

Accidents.

XXI. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the railways, immediate notice thereof shall be given to the Board of Trade.

XXII. A printed copy of these regulations shall be kept in a conspicuous position inside of each carriage in use on the railways.

Penalty.

NOTE.—The Middlesex County Council or any person using electrical power on the railways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations.

Signed by order of the Board of Trade, this 16th day of May, 1912.

S.R. & O., 1912, No. 400.

REGULATIONS, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE COUNTY OF MIDDLESEX LIGHT RAILWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger, in the exercise of the powers conferred by the County of Middlesex Light Railways Order, 1901, the County of Middlesex Light Railways Order, 1903, the County of Middlesex (Waltham Cross and Enfield) Light Railways Order, 1906, and the County of Middlesex Light Railways (Extension and Lands) Order, 1907, with respect to the use of electrical power on the overhead trolley system on all or any of the railways which were authorized by the said Orders and on which the use of such power has been authorized (hereinafter called "the railways") :

Regulations.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage and not pushed or driven from the rear end. Disabled carriages.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the Middlesex County Council and given by the front driver.

VII. A printed copy of these regulations shall be kept in a conspicuous position inside of each carriage in use on the railways.

Penalty.

NOTE.—The Middlesex County Council or any person using electrical power on the railways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds ; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations.

Signed by order of the Board of Trade, this 9th day of April, 1912.

BYE-LAWS AND REGULATIONS MADE ON THE 4TH MAY, 1905, BY THE COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF MIDDLESEX, UNDER POWERS CONFERRED ON THE COUNTY COUNCIL BY THE COUNTY OF MIDDLESEX LIGHT RAILWAY ORDERS, 1901 AND 1903, AND BY THE RAILWAYS CLAUSES CONSOLIDATION ACT, 1845, FOR REGULATING THE TRAVELLING IN OR UPON ANY CARRIAGE BELONGING TO THE COUNTY COUNCIL OR ITS LESSEES.

1. The bye-laws and regulations hereinafter set forth shall extend and apply to all carriages of the county council or its lessees (hereinafter referred to as "the promoters"), and to all places with respect to which the county council have power to make bye-laws and regulations. Regulations of County Council.

2. The expression "railways" shall include all railways worked by the promoters.

3. All persons desiring to mount a car for the purpose of travelling thereon, shall first permit all persons to alight who may be intending to do so. Travelling.

4. Every passenger shall enter or depart from a carriage by the hindermost or conductor's platform, and not otherwise.

5. No person shall smoke or carry lighted any pipe, cigar, or cigarette, inside any carriage.

Nuisances.

6. No person shall swear or use obscene or offensive language or conduct himself offensively whilst in or upon any carriage, or spit or commit any nuisance in or upon or against any carriage, station, or premises used in connection with the railways system, or in any way wilfully interfere with the comfort of any passenger. No person shall sing or play or perform on any musical instrument, or distribute advertisements, pamphlets, notices, handbills, or tracts of any kind, or beg or collect money, alms, or subscriptions, or sell any article, or play any game or gamble, or paste notices or handbills, or drop or deposit remnants of food or fruit, or any paper, paper-bag, or other thing in which food or fruit may have been carried into or upon any car.

7. Any person who is in a state of intoxication, or is affected with any infectious or contagious disease, or who in the opinion of the conductor or other duly authorized officer of the promoters, might for any other reason be offensive to passengers shall not be entitled to enter or remain in or on any carriage, but may be prevented from entering in or on any carriage, and shall not enter or mount in or on any carriage after having been requested not to do so by the conductor; and if found in or on any carriage, shall, on the request of the conductor, leave the carriage. Any person whose dress or clothing might, in the opinion of the conductor of a carriage or other duly authorized officer as aforesaid, soil or injure the linings or cushions of the carriage or the dress or clothing of any passenger, shall not be entitled to enter or remain in or upon any carriage.

Obstruction.

8. No passenger or other person shall wilfully obstruct or impede any officer or servant of the promoters in the execution of his duty upon or in connection with any carriage or railway of the promoters.

Damage.

9. No person shall wilfully cut, tear, soil, or damage the seats, cushions, linings, or other fittings of any carriage, or remove or deface any number plate, printed or other notice in or on the carriage, or place his feet upon or lie upon any seat, or break or scratch any windows of or otherwise wilfully damage any carriage; and no person not being a servant of the promoters, duly authorized in that behalf, shall touch, handle, or interfere with any electric machine or appliance in, under, upon, or about any carriage (except electric bells provided for the use of passengers). Any person acting in contravention of this regulation shall be liable to pay the amount of any damage done in addition to the penalty prescribed by these bye-laws and regulations.

Dogs.

*10. No dog or other animal shall be allowed in or on any carriage. Any dog or other animal taken into or on any carriage, in breach of this regulation, shall be removed by the person in charge of such dog or other animal from the carriage immediately upon request by the conductor or other duly authorized officer of the promoters, or in default of compliance with such request may be removed by or under the direction of the conductor.

Firearms.

11. No person shall travel in or on any carriage of the promoters with loaded firearms, or with any dangerous or offensive substance or material or implement.

Fare.

12. Each passenger shall, upon demand, pay to the conductor or other duly authorized officer of the promoters, the fare legally demandable for the journey, and accept a ticket corresponding thereto.

Ticket.

13. Each passenger shall show his ticket (if any) when required so to do, to the conductor or other duly authorized officer of the promoters, and shall also when required so to do, either deliver up his ticket or pay the fare legally demandable for the journey.

14. No passenger shall wilfully alter or deface his ticket so as to render the number or any material portion thereof illegible, or shall use or attempt to use a ticket on any day for which such ticket is not available, or use a ticket which has already been used on a previous journey.

15. Any ticket for the time being issued by the promoters in respect of fares shall only be available for the carriage on or for which it is issued, except in the case of transfer, two-journey or season tickets (if any), and no passenger shall be entitled to leave any carriage for any purpose whatever at any stage and resume his journey by any carriage without the payment of a fresh fare from the point at which the passenger resumed his journey.

Luggage.

16. No luggage which in the opinion of the conductor or other duly authorized officer of the promoters, from its size or otherwise is unsuitable for conveyance

* The similar bye-law of the Metropolitan Electric Tramways has been revised, see pp. 398 and 400. Though both companies use the same lines no alteration is made in this bye-law.

in or upon a carriage, shall be taken in or upon such carriage. Any personal luggage carried by the passengers shall be placed in such part of the carriage as the conductor or other duly authorized officer as aforesaid may direct.

17. No passenger or person other than a servant of the promoters so authorized shall be permitted to travel on the steps or platform of any carriage, or sit on the outside rail on the roof, or remain standing on the roof of any carriage, and any person so acting shall cease to do so immediately on request by the conductor. Travelling.

18. No person shall enter, mount, or leave, or attempt to enter, mount, or leave, any car whilst in motion.

19. Any person offending against or committing a breach of these bye-laws and regulations shall be liable to a penalty not exceeding forty shillings for each and every such offence, and shall in addition be liable to be immediately removed from the carriage, and if such person shall have paid his fare shall not be entitled to demand back the amount of his fare so paid.

20. There shall be placed and kept placed in a conspicuous position inside of each carriage in use, a printed copy of these bye-laws and regulations.

21. These bye-laws and regulations shall come into force on 1st day of May, 1905.

The Common Seal of the County Council of Middlesex was hereto affixed.

The Board of Trade hereby signify their allowance and approval of the above bye-laws and regulations.

Signed this 5th day of July, 1905.

MITCHAM LIGHT RAILWAY.

S.R. & O., 1906, No. 595.

REGULATIONS, DATED 23RD JULY, 1906, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE MITCHAM LIGHT RAILWAY.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by the Mitcham Light Railway Order, 1901, which was confirmed by the Board of Trade on the 6th day of November, 1901, and the Croydon and District Electric Tramways (Extensions) Act, 1903, with respect to the use of electrical power (overhead trolley system) on all or any of the railways which were authorized by the said Order, and on which the use of such power has been authorized (hereinafter called "the railway").

Regulations.

I. Every motor carriage used on the railway shall comply with the following requirements, that is to say:— Requirements of carriages.

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the railway except in the case of the removal of a disabled carriage.

III. Every carriage used on the railway shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. The entrance to and exit from the carriages shall be by the hindermost or conductor's platform, except at a terminus when the carriages are stationary.

V. The carriages shall be brought to a standstill whenever it is necessary to avoid impending danger and immediately before reaching the following point:—

The Croydon borough boundary in Mitcham Road.

VI. Every carriage on the railway shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every such carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

Speed.

VII. The speed at which the carriages shall be driven or propelled along the railway shall not exceed the rate of :—

Sixteen miles an hour—

Along the Mitcham Road, between the Croydon borough boundary and the railway bridge over the L.B. & S.C. Railway.

Fourteen miles an hour—

Along the London Road, between Swain's Lane and Prospect Road.

Ten miles an hour—

Along the London Road between Prospect Road and the Holborn Schools.

Eight miles an hour—

(a) Along the London Road between the Tooting terminus and Swain's Lane.

(b) Along the London Road between the Holborn Schools and Langdale Avenue.

Six miles an hour—

When crossing the railway bridge in Mitcham Road.

Four miles an hour—

(a) Through facing points, whether fixed or movable.

(b) Round all curves of 66 feet or less radius.

At all other places the speed shall not exceed the rate of *twelve miles an hour*.

Electrical apparatus.

VIII. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the railway and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe.

IX. The overhead conductors used in connection with the working of the railway shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 17 feet.

X. The overhead conductors shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so enclosed as to be inaccessible to pedestrians.

XI. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

XII. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XIII. The trolley standard of every double-decked carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of this standard becoming electrically charged from any defect in the electrical conductors contained within it, or in the event of the standard becoming electrically charged to give a continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the top deck of a carriage as long as there is risk of electric shock.

XIV. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XV. If and whenever telegraph or telephone wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the railway, efficient guard wires shall be erected and maintained at all such places.

Accidents.

XVI. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the railway, immediate notice thereof shall be given to the Board of Trade.

XVII. A printed copy of these regulations shall be kept in a conspicuous position inside of each carriage in use on the railway.

Penalty.

NOTE.—The British Electric Traction Company, or any authority, company, or person using electrical power on the railway contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds ;

and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations.

Signed by order of the Board of Trade, this 23rd day of July, 1906.

S.R. & O., 1912, No. 401.

REGULATIONS, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE MITCHAM LIGHT RAILWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by the Mitcham Light Railway Order, 1901, with respect to the use of electrical power on the overhead trolley system on all or any of the railways authorized by the said Order, and on which the use of such power has been authorized (hereinafter called "the railways") :—

Regulations.

I. (a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage, and not pushed or driven from the rear end. Disabled carriages.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected, except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage, and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open, and the driver of the rear carriages, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the South Metropolitan Electric Tramways and Lighting Company, Limited, and given by the front driver.

VII. A printed copy of these regulations shall be kept in a conspicuous position inside of each carriage in use on the railways.

Penalty.

NOTE.—The South Metropolitan Electric Tramways and Lighting Company, Limited, or any person using electrical power on the railways contrary to any of the above regulations, is for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations.

Signed by order of the Board of Trade, this 9th day of April, 1912.

WALTHAMSTOW LIGHT RAILWAYS.

S.R. & O., 1905, No. 1012.

REGULATIONS, DATED 2ND SEPTEMBER, 1905, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER (OVERHEAD TROLLEY SYSTEM) ON THE WALTHAMSTOW AND DISTRICT LIGHT RAILWAY.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by the Walthamstow and District Light Railway Order, 1903 (confirmed by the Board of Trade on the 12th day of February, 1903), with respect to the use of electrical power (overhead trolley system) on all or any of the railways authorized by the said Order, and on which the use of such powers has been authorized (hereinafter called "the railway").

Regulations.

Require-
ments of
carriages.

I. Every motor carriage used on the railway shall comply with the following requirements, that is to say:—

- (a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.
- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition a magnetic track brake.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard and with a special bell or whistle to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailing carriage shall be used on the railway except in the case of the removal of a disabled carriage.

III. Every carriage used on the railway shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. The entrance to and exit from the carriages shall be by the hindmost or conductor's platform, except at a terminus when the carriages are stationary.

V. The carriages shall be brought to a standstill whenever it is necessary to avoid impending danger and immediately before reaching the following points:—

- (a) In Hoe Street—
 - (1) At Selborne Road.
 - (2) At High Street.
- (b) In Hoe Street, Forest Road, and Chingford Road at the "Bell" Junction.
- (c) In Forest Road—
 - (1) At Wood Street.
 - (2) At Blackhorse Road.
 - (3) At the loop opposite Forest Road School.
- (d) In Blackhorse Road and Blackhorse Lane at Forest Road.
- (e) The curve between Markhouse Road and St. James Street.
- (f) In St. James Street before rounding the curve at the junction with Station Road.
- (g) The curve between St. James Street and Blackhorse Lane.

VI. Every carriage on the railway shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every such carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

Speed.

VII. The speed at which the carriages shall be driven or propelled along the railway shall not exceed the rate of:—

Twelve miles an hour—

- (a) In Chingford Road between Billet Lane and the New Road.
- (b) In Woodford New Road between Fullers Road and the terminus at Forest Rise.
- (c) In Forest Road between the Woodford New Road and Wood Street.

Eight miles an hour—

In Hoe Street between Lea Bridge Road and Forest Road.

Six miles an hour—

In St. James Street between Markhouse Road and Blackhorse Lane.

Four miles an hour—

- (a) On the curves between Woodford New Road and Forest Road.
- (b) On the curves between Ferry Lane and Blackhorse Lane.
- (c) Through facing points, whether fixed or movable.

At all other places the speed shall not exceed the rate of *ten* miles an hour.

VIII. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the railway and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe. Electrical apparatus.

IX. The overhead conductors used in connection with the working of the railway shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 17 feet, except where they pass under railway bridges.

X. The overhead conductors shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so enclosed as to be inaccessible to pedestrians.

XI. No part of any electric line shall be used for the transmission of more than 300,000 watts, except with the consent in writing of the Board of Trade, and efficient means shall be provided to prevent this limit being at any time exceeded.

XII. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

XIII. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XIV. The trolley standard of every double-decked carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of this standard becoming electrically charged from any defect in the electrical conductors contained within it, or give a continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the roof of a carriage as long as there is risk of electric shock.

XV. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XVI. If and whenever telegraph or telephone wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the railway, efficient guard wires shall be erected and maintained at all such places.

XVII. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury has occurred in connection with the electric working of the railway, immediate notice thereof shall be given to the Board of Trade. Accidents.

XVIII. A printed copy of these regulations shall be kept in a conspicuous position inside of each carriage in use on the railway.

Penalty.

NOTE.—The Walthamstow Urban District Council or any person using electrical power on the railway contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations.

Signed by order of the Board of Trade, this 2nd day of September, 1905.

S.R. & O., 1912, No. 402.

REGULATIONS, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE WALTHAMSTOW AND DISTRICT LIGHT RAILWAY.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by the Walthamstow and District Light Railway Order, 1903, with respect to the

use of electrical power on the overhead trolley system on all or any of the railways authorized by the said Order, and on which the use of such powers has been authorized (hereinafter called "the railway").

Regulations.

Disabled
carriages.

I.—(a) In the case of a carriage being disabled it shall, where practicable, be towed by another carriage and not pushed or driven from the rear end.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages, shall be properly connected except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage, and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the Walthamstow Urban District Council and given by the front driver.

VII. A printed copy of these regulations shall be kept in a conspicuous position inside of each carriage in use on the railway.

Penalty.

NOTE.—The Walthamstow Urban District Council or any person using electrical power on the railway contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations.

Signed by order of the Board of Trade, this 9th day of April, 1912.

BYE-LAWS AND REGULATIONS MADE BY THE URBAN DISTRICT COUNCIL OF WALTHAMSTOW, PURSUANT TO THE POWERS CONFERRED UPON THEM BY THE WALTHAMSTOW AND DISTRICT LIGHT RAILWAY ORDER, 1903, AND THE RAILWAYS CLAUSES CONSOLIDATION ACT, 1845.

Interpre-
tation.

1. Throughout these bye-laws and regulations the word "council" means the Urban District Council of Walthamstow, and shall include any lessees or persons for the time being working the light railways, hereinafter referred to or any portion thereof; the word "light railways" means the light railways or tramways system worked by the council either within its own boundaries or within any other area over which the council has running powers; the word "car" means any carriage or car run by the council upon the light railways for the conveyance of passengers; the word "conductor" means any officer or servant of the council having charge of or helping in the charge of a car, and the word "driver" means any officer or servant of the council driving or assisting to drive a car.

Penalty.

2. Any person infringing any of the following bye-laws and regulations shall be liable to a penalty of not exceeding (40s.) forty shillings, and in case of a continuing offence to a penalty of not exceeding (10s.) ten shillings, in addition to the first-mentioned penalty, for every day during which such offence continues.

Offensive
language or
conduct.

3. No person shall swear or use obscene or offensive language or conduct himself offensively whilst in or upon any car, or spit or commit any nuisance in or upon or against any car or light railways station, or premises used in connection with the light railways, or in any way wilfully interfere with the comfort of any passenger. No person shall sing, or play or perform upon any musical instrument, or distribute advertisements, pamphlets, notices, handbills, or

tracts of any kind, or beg or collect money, alms, or subscriptions, or sell or attempt to sell any article or play any game, or gamble or paste notices or handbills, or deposit remnants of food or fruit in or upon any car.

4. Any person who is in a state of intoxication, or who from that or any other cause is, in the opinion of the conductor, unfit to be a passenger on a car, shall not be allowed to board or enter upon any car, and if any such person be found in or upon any car, he shall be requested by the conductor to leave the car, failing which, it shall be lawful for the conductor or any other officer or servant of the council to remove such person from the car. Any person whose dress or clothing might, in the opinion of the conductor, soil or injure the linings or cushions of a car, or the dress or clothing of any passenger, shall not be entitled to enter or remain in a car. Provided that, on cars run specially for artisans, mechanics, and daily labourers, no person shall be prevented from entering or remaining in a car under the provisions of this bye-law on the ground of the condition of his dress or clothing, if such condition is solely due to the nature of his employment.

Objection-
able persons.

5. No person shall take a dog or other animal into or upon any car except by the permission of the conductor, nor in any case in which the conveyance of such dog or other animal might be offensive or any annoyance to passengers. Any dog or other animal taken into or found in or upon any car shall be removed by the person in charge thereof from the car immediately upon request by the conductor.

Dogs, &c.

6. No person shall wilfully cut, tear, soil, or damage the seats, cushions, curtains, or linings, or remove or deface any number plate, printed or other notice, in or on any car, or break or scratch any window of, or otherwise wilfully damage any car. Any person acting in contravention of this regulation shall be liable, in addition to the penalty prescribed by these bye-laws and regulations for the amount of any damage so done.

Damaging
cars.

7. No person shall smoke or carry a lighted pipe, cigar, or cigarette, in or upon any car, except on such seats on the outside or upper deck of the car as may be specially set apart for persons smoking or desirous of so doing.

Smoking.

8. Each passenger shall, before leaving the car, or immediately upon demand by the conductor, if such demand shall be first made, pay to the conductor the fare legally payable for his journey and accept a ticket therefor. Any person leaving a car shall be deemed to have completed his journey.

Payment
of fares.

No child under five years of age who is sitting on the lap of a passenger shall be liable to pay a fare. Children over five years and under fourteen years of age shall pay half-fare; but a child of any age who is allowed to occupy a seat must be paid for.

9. Each passenger shall, immediately upon demand, produce and hand his ticket to any duly authorized officer or servant of the council, and shall also, when required so to do, either deliver up his ticket or pay the fare for the distance travelled over by such passenger.

Tickets.

Tickets shall not be transferable and shall be available only by the car on which they are issued.

No person not being an artizan, mechanic, or daily labourer, within the true intent and meaning of the statutory provisions relating to the council shall use or attempt to use any ticket intended only for such artisans, mechanics or daily labourers.

10. No person other than the conductor or driver shall change or remove the route indicators of destination boards, or interfere with the controllers, brakes, lights, ventilators, trolley cord, or any part of a car, or its equipment or any switch or point, connected with the light railways track in the Urban District of Walthamstow, or any frog-rope or other appliance or attachment to the equipment of the light railways of the council, or signal a car to start.

Interference
with or
obstruction
to conductor,
driver, or
other
servant.

No passenger or other person shall wilfully obstruct or impede any officer or servant of the council in the execution of his duty upon or in any car or light railways of the council.

No person shall in any way wilfully impede, interfere with, or obstruct the traffic on the light railways or any part thereof situate in the Urban District of Walthamstow.

11. No luggage which, in the opinion of the conductor, from its size or otherwise, is unsuitable for conveyance in or upon a car shall be taken in or upon such car. Any personal luggage not exceeding 28 lb. in weight carried by a passenger (including the tools of artisans, mechanics, and daily labourers), shall be placed on the front or driver's platform unless otherwise permitted by the conductor.

Luggage.

12. When any car contains the full number of passengers which it is licensed to contain, no additional person shall enter, mount, or remain in or on any such car when warned by the conductor not to do so.

Entering
cars.

Disabled cars.

13. If at any time a car becomes disabled, or in any way injured, or from any cause unable to proceed, the passengers shall, upon the request of the conductor, leave the same, and, if such passengers have paid their fares, shall not be entitled to demand back the amount of their fares so paid, but on production of their tickets shall be allowed to travel by the next available car the remainder of the distance in respect of which they have paid their fares. No person shall, except with the leave of the conductor, enter a disabled or injured car.

Travelling on steps, &c.

14. No passenger or other person, not being an officer or servant of the council, shall be permitted to travel on the steps, or platform of any car, or stand either on the roof or, except in accordance with the regulations of the council exhibited upon such car, in the interior, or sit on the outside rail on the roof of any car, and shall cease to do so immediately on request by the conductor.

Firearms, &c.

No person except a passenger or intending passenger shall enter or board a car, and no person shall hold or hang on by or to any part of a car.

Entering and leaving cars.

15. No person shall travel in or on any car with loaded firearms, or dangerous or offensive articles, instruments, tools, or implements.

16. Every person shall enter or depart from a car by the step of the hindermost or conductor's platform, and not otherwise, unless so directed by the conductor.

All persons desiring to alight from any car shall do so before any person boards the car for the purpose of travelling thereon, and all persons desiring to board the car shall permit such persons to alight as aforesaid.

Entering car in motion.

17. No person shall enter, board, or leave, or attempt to enter, board, or leave any car whilst in motion.

Infectious disease.

18. No person afflicted with any infectious or contagious disease shall board, enter, or travel on any car, or attempt so to do. And no driver or conductor shall suffer or permit any such person so to do.

Power to remove passengers committing offence.

19. Any person who shall commit, whilst on any car, any legal offence, or any breach of these bye-laws or regulations shall, in addition to being liable to a penalty be liable to be immediately removed from the car, and if such person shall have paid his fare, shall not be entitled to demand back the amount of his fare so paid.

20. There shall be placed and kept placed in a conspicuous position in each car in use on the light railways a printed copy of these bye-laws and regulations.

21. These bye-laws and regulations shall come into force on the first day of October, One thousand nine hundred and eleven.

22. From and after the date of the confirmation of these bye-laws and regulations the bye-laws and regulations under the Walthamstow and District Light Railways Order, 1903, and the Railways Clauses Consolidation Act, 1845, which were allowed on the eleventh day of December, in the year One thousand nine hundred and five, by the Board of Trade, shall be repealed.

The Common Seal of the said Urban District Council for the district of Walthamstow was hereto affixed on the 28th day of July, 1911.

Certified by Board of Trade, 30th September, 1911.

WEST HAM CORPORATION TRAMWAYS.

S.R. & O., 1913, No. 1374.

REGULATIONS AND BYE-LAWS, DATED 22ND DECEMBER, 1913, MADE BY THE BOARD OF TRADE AS REGARDS ELECTRICAL POWER ON THE WEST HAM CORPORATION TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on all or any of the tramways on which the use of mechanical power has been authorized by the West Ham Corporation Act, 1898, West Ham Corporation Act, 1900, West Ham Corporation Act, 1902, West Ham Corporation Tramways Order, 1904, and the West Ham Corporation Tramways Order, 1907 (hereinafter called "the tramways"):

And the Board of Trade do also hereby make the following bye-laws with regard to the use of electrical power on all or any of such tramways.

The Order of the Board of Trade in this behalf, dated the 24th day of May, 1912, is hereby rescinded.

Regulations.

Requirements of carriages.

I. Every motor carriage used on the tramways shall comply with the following requirements, that is to say:—

(a) It shall be fitted, if and when required by the Board of Trade, with an apparatus to indicate to the driver the speed at which it is running.

- (b) The wheels shall be fitted with brake blocks, which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the tramways without the consent of the Board of Trade, except

- (a) in the case of the removal of a disabled carriage;
- (b) for the conveyance of salt, sand, and other materials or stores for the purposes of the tramways undertaking.

When trailer carriages are used for the conveyance of salt, &c., under (b) the following requirements shall be complied with:—

- (1) More than one trailer carriage shall not be attached to any motor carriage.
- (2) No passengers shall be carried in any motor carriage to which a trailer carriage is attached.
- (3) The trailer carriage shall be fitted with efficient brakes and there shall be a man on the trailer carriage to attend to the brakes.

III. Every carriage used on the tramways for the conveyance of passengers shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

IV. Every carriage on the tramways, or where two carriages are coupled together, the front carriage shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every carriage or where two carriages are coupled together, the rear carriage shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

V. The speed at which the carriages shall be driven or propelled along the tramways shall not exceed the rate of:—

Sixteen miles an hour—

- (a) Along West Ham Lane between Abbey Road and Victoria Street.
- (b) Along High Street, Stratford, Stratford Broadway, the Grove, and Leytonstone Road, between Bow Bridge and the West Ham Boundary.
- (c) Along Stratford Broadway and Romford Road between West Ham Lane and the East Ham Boundary.
- (d) Along Barking Road between Green Street and Liverpool Road.
- (e) Along Stopford Road and Upton Lane between Harold Road and Ham Park Road.
- (f) Along Upton Lane between St. George's Road and Romford Road.
- (g) Along Greengate Street and Prince Regent's Lane between Balaam Street and Berwick Road.
- (h) Along the Beckton Road between Freemason's Road and Barking Road.

Twelve miles an hour—

- (a) Along Balaam Street between Barking Road and High Street, Plaistow.
- (b) Along Plaistow Road between Plaistow Station and Gift Lane.
- (c) Along Tramways Avenue between Victoria Street and Stratford Broadway.
- (d) Along Woodgrange Road, Woodford Road, and Forest Road, between Romford Road and Dame's Road.
- (e) Along Green Street between Romford Road and Barking Road.
- (f) Along Barking Road between Liverpool Road and the Iron Bridge.
- (g) Along Hermit Road, Grange Road, and Upper Road, between Barking Road and Plaistow Road.
- (h) Along Clegg Street and Terrace Road between High Street, Plaistow, and Harold Road.
- (i) Along Upton Lane between Ham Park Road and St. George's Road.
- (j) Along Plashet Road and Portway between Green Street and Richford Road.
- (k) Along Connaught Road, Victoria Dock Road, and Freemason's Road, between the Dock Terminus in Connaught Road and Beckton Road.
- (l) Along New Barn Street between Beckton Road and Elkington Road.

Ten miles an hour—

- (a) Along High Street, Plaistow, and Plaistow Road, between Balaam Street and Plaistow Station.
- (b) Along Church Street South between Gift Lane and Abbey Road.
- (c) Along West Ham Lane between Victoria Street and Stratford Broadway.

- (d) Along Portway and Church Street North between Richford Road and West Ham Lane.
- (e) Along Prince Regent's Lane between Berwick Road and Connaught Road.

Six miles an hour—

Along New Barn Street between Barking Road and Elkington Road, on the southern journey.

Four miles an hour—

- (a) Through facing points, whether fixed or movable.
- (b) On the curve between Balaam Street and High Street.
- (c) On the curves between Barking Road and Balaam Street.
- (d) On the curves between Church Street South and Church Street North.
- (e) On the curves between Freemason's Road and Beckton Road.
- (f) On the curves between Beckton Road and New Barn Street.
- (g) On the curves between Barking Road and New Barn Street.
- (h) On the curves between Barking Road and Green Street.
- (i) On the curves between Plashet Road and Green Street.
- (j) In Upton Lane on the curve at its junction with St. George's Road.
- (k) When crossing Romford Road.
- (l) When crossing Plashet Road.
- (m) On the curve between Green Street and Romford Road.
- (n) On the curves between Romford Road, Woodgrange Road, and Upton Lane.
- (o) On the curve between Grange Road and Upper Road.
- (p) On the curve between Station Road and Upper Road.
- (q) On the curve between Broadway and West Ham Lane.
- (r) On the curve between the Grove and West Ham Lane.
- (s) On the curve at Maryland Point Station.
- (t) On the curves between Tramway Avenue and Broadway.
- (u) On the curves between the Grove and Broadway.
- (v) On the curve between Greengate Street and Barking Road.
- (w) On the curve between Barking Road and Prince Regent's Lane.
- (x) On the curve between Prince Regent's Lane and Connaught Road.
- (y) Along New Barn Street between Elkington Road and Barking Road, on the northern journey.
- (z) On all curves of 66 feet or less radius.

Electrical apparatus.

VI. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the tramways and the earth, or between any two such conductors, shall in no case exceed 550 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Board of Trade, and subject to such regulations and conditions as they may prescribe.

VII. The overhead conductors used in connection with the working of the tramways shall be securely attached to supports, the intervals between which shall not, except with the approval of the Board of Trade, exceed 120 feet, and they shall be in no part at a less height from the surface of the street than 20 feet, except where they pass under railway bridges.

VIII. The positive conductor shall be divided up into sections not exceeding (except with the special approval of the Board of Trade) one-half of a mile in length, between every two of which shall be inserted an emergency switch so enclosed as to be inaccessible to pedestrians.

IX. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month, and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

X. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XI. The trolley standard of every double-deck carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of the standard becoming electrically charged from any defect in the conductors contained within it or in the event of the standard becoming electrically charged to give a distinctive and continuous warning signal to the driver or conductor. No passenger shall be allowed to travel on the upper deck of a carriage as long as there is risk of electric shock.

[NOTE.—This regulation will not apply to the trolley base on the top cover of double-deck carriages.]

XII. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XIII. If and whenever telegraph, telephone, or other wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon, or to be blown on to, the overhead conductors of the tramways, efficient guard wires shall be erected and maintained at all such places.

XIV. Every guard wire shall be bonded to the rails through its support at each end and at intervals of not more than five spans.

XV. After the date of these regulations no gas-lamp bracket shall be attached to any pole unless triple insulation is provided between the pole and the overhead conductors.

XVI. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the tramways, immediate notice thereof shall be given to the Board of Trade. Accidents.

Penalty.

NOTE.—The West Ham Corporation or any company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-laws.

I. The special bell shall be sounded by the driver of the carriage whenever necessary as a warning.

II. The entrance to and exit from the carriage shall be by the hindermost or conductor's platform, except at a terminus when the carriages are stationary. Provided that this bye-law shall not apply to carriages approved by the Board of Trade with one man only in charge.

III. The carriages on the tramways shall be brought to a standstill as soon as possible whenever it is necessary to avoid impending danger and on all occasions immediately before reaching the following points:— Standstill places.

- (a) In West Ham Lane between Abbey Road and Church Street.
- (b) In Plaistow Road at Stephen's Road.
- (c) In Plashet Road before crossing Stopford Road.
- (d) In Church Street North before entering Church Street South.
- (e) The junction of Victoria Dock Road and Freemason's Road.
- (f) In Balaam Street and New Barn Street at Barking Road.
- (g) In Upton Lane and Stopford Road before crossing Plashet Road.
- (h) In Church Street at High Street, Plaistow.
- (i) In Beckton Road and Hermit Road before crossing Barking Road.
- (j) In Upper Road at Station Road.
- (k) In Romford Road—
 - (1) at Green Street, on the westward journey.
 - (2) the short length of interlacing line.
- (l) In Greengate Street and Prince Regent's Lane at Barking Road.
- (m) In Prince Regent's Lane before turning the corner into Connaught Road.
- (n) In Barking Road—
 - (1) at Hermit Road.
 - (2) at Prince Regent's Lane on the westward journey, and on all occasions.
- (o) In Barking Road immediately after passing
 - (1) Balaam Street, on the eastward journey;
 - (2) New Barn Street, on the westward journey;
 - (3) Greengate Street, on the eastward journey.

IV. A printed copy of these regulations and bye-laws shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or bye-laws.

Signed by order of the Board of Trade, this 22nd day of December, 1913.

S.R. & O., 1912, No. 396.

REGULATIONS AND BYE-LAW, DATED 9TH APRIL, 1912, MADE BY THE BOARD OF TRADE AS REGARDS THE REMOVAL OF DISABLED CARRIAGES ON THE WEST HAM CORPORATION TRAMWAYS.

The Board of Trade, under and by virtue of the powers conferred upon them in this behalf, do hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred by Parliament with respect to the use of electrical power on the overhead trolley system on all or any of the tramways on which the use of mechanical power has been authorized by the West Ham Corporation Act, 1898, West Ham Corporation Act, 1900, West Ham Corporation Act, 1902, West Ham Corporation Tramways Order, 1904, and the West Ham Corporation Tramways Order, 1907 (hereinafter called "the tramways") :

And the Board of Trade do also hereby make the following bye-law with regard to the use of electrical power on all or any of such tramways.

Regulations.

Disabled cars.

I. (a) In the case of a carriage being disabled it shall, where practicable be towed by another carriage and not pushed or driven from the rear end.

(b) When it is impracticable to tow a carriage it may be pushed by another carriage to the nearest convenient depot or cross-over, but no further.

(c) If, owing to special circumstances, it is impracticable to tow or push a carriage, it may be driven from the rear end, subject to the same conditions as if it were being pushed.

II. When, in accordance with Regulation I, it becomes necessary to push a disabled carriage, both carriages shall be properly connected, except only where necessary to clear a dead section or on a sharp curve.

III. A disabled carriage shall not be towed or pushed or driven from the rear end at a greater speed than *six* miles per hour.

IV. In the case of a disabled carriage which is being pushed or driven from the rear end, no additional passengers shall be taken on the disabled carriage and the passengers already on it shall be transferred to other carriages as soon as practicable.

V. A disabled carriage shall not be pushed or towed by another carriage or driven from the rear end unless each carriage has a fully qualified driver upon the front platform.

VI. When a disabled carriage is being pushed or driven from the rear end both lower doors of the carriage shall be open, and the driver of the rear carriage, or the driver at the rear end of the disabled carriage, as the case may be, shall promptly obey signals previously arranged by the West Ham Corporation and given by the front driver.

Penalty.

NOTE.—The West Ham Corporation or any company or person using electrical power on the tramways contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds; and also in the case of a continuing offence, to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof.

Bye-laws.

A printed copy of these regulations and this bye-law shall be kept in a conspicuous position inside of each carriage in use on the tramways.

Penalty.

NOTE.—Any person offending against or committing a breach of this bye-law is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or this bye-law.

Signed by order of the Board of Trade, this 9th day of April, 1912.

BYE-LAWS MADE BY THE MAYOR, ALDERMEN, AND BURGESSES OF THE COUNTY BOROUGH OF WEST HAM, BEING THE PROMOTERS OF THE TRAMWAYS IN THE COUNTY BOROUGH OF WEST HAM, WITH RESPECT TO SUCH TRAMWAYS, PURSUANT TO THE POWERS CONFERRED UPON THEM BY THE TRAMWAYS ACT, 1870.

1. Throughout these bye-laws the word "corporation" means the Mayor, Aldermen, and Burgesses of the County Borough of West Ham, and shall include any lessees or persons for the time being working the tramway system, hereinafter referred to or any portion thereof; the word "tramways" means the tramway system worked by the corporation either within its own boundaries or within any other area over which the corporation has running powers; the word "car" means any carriage or car run by the corporation upon the tramways for the conveyance of passengers; the word "conductor" means any officer or servant of the corporation having charge of or helping in the charge of a car, and the word "motorman" means any officer or servant of the corporation driving or assisting to drive a car. Interpretation.
 2. Any person infringing any of the following bye-laws shall be liable to a penalty of not exceeding (40s.) forty shillings, and in case of a continuing offence to a penalty of not exceeding ten shillings, in addition to the first-mentioned penalty, for every day during which such offence continues. Penalty.
 3. No person shall swear or use obscene or offensive language or conduct himself offensively, whilst in or upon any car, or spit, or commit any nuisance in or upon or against any car or tramway station, or premises used in connection with the tramway system, or in any way wilfully interfere with the comfort of any passenger. No person shall sing, or play or perform upon any musical instrument, or distribute advertisements, pamphlets, notices, handbills, or tract of any kind, or beg or collect money, alms, or subscriptions, or sell or attempt to sell any article, or play any game, or gamble, or paste notices or handbills, or deposit remnants of food or fruit in or upon any car. Offensive language or conduct.
 4. Any person who is in a state of intoxication, or who from that or any other cause is, in the opinion of the conductor, unfit to be a passenger on a car, shall not be allowed to board or enter upon any car, and if any such person be found in or upon any car, he shall be requested by the conductor to leave the car, failing which, it shall be lawful for the conductor or any other officer or servant of the corporation to remove such person from the car. Any person whose dress or clothing might, in the opinion of the conductor, soil or injure the linings or cushions of a car, or the dress or clothing of any passenger, shall not be entitled to enter or remain in a car. Provided that, on cars, run specially for artisans, mechanics, and daily labourers, no person shall be prevented from entering or remaining in a car under the provisions of this bye-law on the ground of the condition of his dress or clothing, if such condition is solely due to the nature of his employment. Objectionable persons.
 5. No person shall take a dog or other animal into or upon any car except by the permission of the conductor, nor in any case in which the conveyance of such dog or other animal might be offensive or any annoyance to passengers. Any dog or other animal taken into or found in or upon any car shall be removed by the person in charge thereof from the car immediately upon request by the conductor. Dogs, &c.
 6. No person shall wilfully cut, tear, soil, or damage the seats, cushions, curtains, or linings, or remove or deface any number plate, printed or other notice, in or on any car, or break or scratch any window of, or otherwise wilfully damage any car. Any person acting in contravention of this regulation shall be liable, in addition to the penalty prescribed by these bye-laws, for the amount of any damage so done. Damaging cars.
 7. No person shall smoke or carry a lighted pipe, cigar, or cigarette in or upon any car, except on such seats outside the car as may be specially set apart for persons smoking or desirous of so doing. Smoking.
 8. Each passenger shall, before leaving the car, or immediately upon demand by the conductor, if such demand shall be first made, pay to the conductor the fare legally payable for this journey and obtained a ticket therefor. Any person leaving a car shall be deemed to have completed his journey. Paymen fares.
 9. No child under five years of age who is sitting on the lap of a passenger shall be liable to pay a fare.
 9. Each passenger shall, immediately upon demand, produce and hand his ticket to any duly authorized officer or servant of the corporation, and shall also, when required so to do, either deliver up his ticket or pay the fare for the distance travelled over by such passenger. Tickets.
- Tickets shall not be transferable and shall be available only by the car on which they are issued.

Interference with or obstruction to conductor, motorman, or other servant.

10. No person other than the conductor or motorman shall change or remove the route indicators or destination boards, or interfere with the controllers, brakes, lights, ventilators, trolley cord, or any part of a car, or its equipment, or any switch or point connected with the tramway track, or any frog-rope or other appliance or attachment to the equipment of the tramway, or signal a car to start.

No passenger or other person shall wilfully obstruct or impede any officer or servant of the corporation in the execution of his duty upon or in any car or tramway of the corporation.

Luggage.

11. No luggage which, in the opinion of the conductor, from its size or otherwise, is unsuitable for conveyance in or upon a car shall be taken in or upon such car. Any personal luggage carried by passengers or the tools of artisans, mechanics, and daily labourers shall be placed on the front or motorman's platform unless otherwise permitted by the conductor, and if placed on the platform of the car shall be carried at the owner's risk. No package or luggage of any description, unaccompanied by a passenger, shall be conveyed upon any car, except under any regulations or restrictions which the corporation may adopt.

Entering full cars.

12. When any car, or the inside or outside of a car or any compartment of a car contains the full number of passengers which it is licensed to carry, no additional person shall enter, board, or remain in or upon any such car or portion of such car. The conductor shall not permit any person beyond the licensed number of passengers to enter, board, or remain in or upon any part of a car. All such persons shall leave the car immediately upon the request of the conductor.

Disabled cars.

13. If any any time a car becomes disabled, or in any way injured, or from any cause unable to proceed, the passengers shall, upon the request of the conductor, leave the same, and, if such passengers have paid their fares, shall not be entitled to demand back the amount of their fares so paid. No person shall, except with the leave of the conductor, enter a disabled or injured car.

Travelling on steps, &c.

14. No passenger or other person, not being an officer or servant of the corporation, shall be permitted to travel on the steps or platforms of any car or stand either on the roof or, except in accordance with the regulations of the corporation exhibited upon such car, in the interior, or sit on the outside rail on the roof of any car, and shall cease to do so immediately on request by the conductor.

No person except a passenger or intending passenger shall enter or board a car, and no person shall hold or hang on by or to any part of a car.

Firearms, &c.

15. No person shall travel in or on any car with loaded firearms, or dangerous or offensive articles, instruments, tools, or implements.

Entering and leaving cars.

16. Every person shall enter or depart from a car by the step of the hindermost or conductor's platform, and not otherwise, unless so directed by the conductor.

All persons desiring to alight from any car shall do so before any person boards the car for the purpose of travelling thereon, and all persons desiring to board the car shall permit such persons to alight as aforesaid.

Entering car in motion.

17. No person shall enter, board, or leave, or attempt to enter, board or leave any car whilst in motion.

Infectious disease.

18. No person afflicted with any infectious or contagious disease shall board, enter, or travel on any car, or attempt so to do. And no motorman or conductor shall suffer or permit any such person so to do.

Power to remove passengers committing offence.

19. Any person who shall commit, whilst on any car, any legal offence, or any breach of these bye-laws, shall, in addition to being liable to a penalty, be liable to be immediately removed from the car, and, if such person shall have paid his fare, shall not be entitled to demand back the amount of his fare so paid.

20. There shall be placed and kept placed in a conspicuous position in each car in use on the tramways a printed copy of these bye-laws.

21. From and after the date of the confirmation of these bye-laws, the bye-laws under the Tramways Act, which were confirmed on the eight day of January in the year One thousand nine hundred and four, by the Board of Trade, shall be repealed.

The Corporate Seal of the Mayor, Aldermen, and Burgesses, acting by the Council of the County Borough of West Ham, was affixed hereto at a meeting of the said Council holden on the 9th July, 1907.

Certified by Board of Trade, 11th September, 1907.

CHAPTER IX.

BOATS ON THE THAMES.

THE PORT OF LONDON (CONSOLIDATION) ACT, 1920.

(10 & 11 Geo. 5, c. clxxiii.)

THE navigation of the river and the docks, and works on the River Thames within the limits of the Port of London are now regulated by the Port of London (Consolidation) Act, 1920. The Port of London River Bye-laws of 1914 are still in force on the river, and these Bye-laws have been amended by Bye-laws dated 14th July, 1922, made by the Port of London Authority.

The limits of the Port of London are defined by the First Schedule of this Act to be the boundary line between the Parishes of Teddington and Twickenham to a line drawn from the pilot mark at the entrance of Havengore Creek (Essex) to Land's End at Warden Point (Isle of Sheppey). All the rivers, streams, creeks, waters, islands, and docks between these two points are included with certain savings the principal of which affect the Rivers Medway, Swale, and Lee, and the Grand Junction Canal.

Limits of Port of London.

Certain sections of this Consolidation Act are summarized or set out below.

Offences.

Offences committed on the river are, *inter alia* :—

Offences.

Cutting moorings of a vessel (s. 143).

Allowing vessels to be adrift or improperly secured (s. 149).

Boiling combustible matter on a vessel (s. 187).

Bringing a loaded gun on to the works of the Port Authority (s. 187).

Throwing ballast or foul matter into the river (ss. 188, 228).

Indecent bathing (s. 188).

Breaking lamps and property of the Port Authority (s. 189).

Obstructing swing bridges (s. 190).

Injuring trees or fences of the Port Authority or the towpath of the river (s. 209).

Sending sewage into Thames or contaminating the river with weeds (ss. 229, 237).

The Port Authority alone is able to prosecute for pollution (s. 238).

Not exhibiting proper lights on steam launch (s. 276). (Set out *in extenso, post.*)

Discharging any gun over the Thames (s. 308).

Working lighter between landward limit of Port of London and Lower Hope Point without licensed lighterman or qualified apprentice in charge, unless owner can prove that he is unable for usual compensation to obtain licensed lighterman, and unless lighter is passing through the whole of the Thames above Lower Hope Point or is navigating the Grand Junction Canal and not navigating up or down the Thames or commences or ends its voyage east or west of the aforesaid limits [Penalty, five pounds] (s. 326).

Bribery of officers of Port Authority (s. 432).

(Penalties are also imposed for attempted evasion of rates by moving vessels and disobedience to orders of Port Authority and harbour masters and other like matters.)

Bye-laws,
s. 448.

The Port Authority may make bye-laws under the Act. A penalty of ten pounds may be imposed for breach of bye-laws made under Part VI of the Act (of which section 279 details a large range of subjects for bye-laws). A penalty of five pounds may be imposed for breaches of bye-laws made under any other part of the Act (section 448).

Rights of Navigation.

Rights of navigation of the river are set forth in sections 210 and 278 which are given below verbatim.

(NOTE.—By section 2 the expression “ vessel ” includes ship, boat, lighter, and craft of every kind, and whether navigated or propelled by steam or otherwise, and seaplanes, hydroplanes, and similar craft.)

Public
right of
navigation.

210.—(1) Subject to the provisions of this Act it shall be lawful for all persons whether for pleasure or profit to go and be pass and repass in vessels over or upon any and every part of the Thames through which Thames water flows including all such backwaters creeks side-channels bays and inlets connected therewith as form parts of the said river.

(2) Provided that all private artificial cuts for purposes of drainage or irrigation and all artificial inlets for moats boat-houses ponds or other like private purposes already made or hereafter to be made and all channels which by any lawful title had been enjoyed as private channels for the period of twenty years before the fourteenth day of August one thousand eight hundred and eighty-five shall be deemed not be parts of the Thames for the purposes of any provisions of this Act relating to rights of navigation and removal of obstructions and dangerous erections.

(3) Provided also that notwithstanding anything in this section the Port Authority may from time to time exclude the public for a limited period from specified portions of the Thames for purposes connected with the navigation or with any public work or uses or for the preservation of public order.

(4) The right of navigation in this section described shall be deemed to include a right to anchor moor or remain stationary for a reasonable time in the ordinary course of pleasure navigation subject to such restrictions as the Port Authority may from time to time by bye-laws determine and the Port Authority shall make special regulations for the prevention of annoyance to any occupier of a riparian residence by reason of the loitering or delay of any house-boat or steam launch and for the prevention of the pollution of the Thames by the sewage of any house-boat or steam launch.

(5) If any person obstructs the navigation in this section described by means of any weir bridge piles dam chain barrier or other impediment then unless the same or substantially the same had been maintained for the period of twenty years before the fourteenth day of August one thousand eight hundred and eighty-five and if the Port Authority by notice in writing require him to remove the same within a time specified in such notice such person shall comply with such notice and if he do not do so shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds.

Rules for
navigation
as to speed,
&c.

278. Every vessel navigating the Thames shall be navigated with care and caution and at a speed and in such a manner as not to endanger the lives of or cause injury to persons or endanger the safety of or cause damage to other vessels or any moorings or to the banks of the Thames or other property.

Special care and caution shall be used in navigating vessels when passing vessels of all kinds especially those of the smaller classes and such as are employed in dredging or removing sunken vessels or other obstructions.

If the life of any person or the safety of any vessel mooring bank or other property is endangered or injury or damage is caused to any person vessel mooring bank or other property by a passing vessel the onus shall lie upon the master of such passing vessel to show that she was navigated with care and caution and at such a speed and in such manner as directed by this section.

The owner or person in charge of any vessel who in navigating such vessel contravenes or fails to observe the provisions of this section shall for every such offence be liable to a penalty not exceeding twenty pounds.

Watermen and Lightermen.

Sections 315 to 377 of the Act deal with watermen and lightermen. The provisions regarding plying for work or navigating for gain on the river are analogous to the provisions of the law affecting cab-drivers and plying for hire in streets (see Appendix).

Watermen
and
lightermen.

The main provisions are summarized as follows :—

318. An unlicensed person shall not act as a lighterman or waterman or ply or work or navigate for hire. Penalty, forty shillings.

Licences.

319, 320, 321. Qualification and application and fee for a licence.

325. Register of licensed lightermen and watermen to be kept by the Port Authority.

327. No unlicensed person to navigate for hire with any passenger boat. Penalty, five pounds.

329. Penalty for taking greater number of persons in *any* boat than it is licensed to carry, forty shillings first offence; subsequent offence, five pounds.

330. Penalty for taking greater number of passengers in any *passenger* boat than it is licensed to carry or than it is calculated to carry having reference to burthen and construction thereof, forty shillings for every passenger in excess for first offence; for second offence, the same penalty and licence may be withdrawn.

331. Port Authority empowered to fix watermen's fares.

Fares.

333. Penalty for refusing to take a fare, forty shillings.

334. Penalty for refusing to proceed as directed by passenger, forty shillings.

335. Penalty for demanding or taking more than legal fare, forty shillings.

336. Penalty for refusing to allow any person to read the number painted on the boat or giving false name or using bad language, forty shillings.

337, 338. Remedy of waterman in case of refusal to pay fare by passenger. Passenger is liable to penalty of five pounds.

339. No constable to apprehend any licensed watermen or lighterman out of any passenger boat or lighter until such boat is safely moored unless there are sufficient hands on board to take care of such boat.

Boat
licences.

348 *et seq.* Boats and craft to be registered and licence granted for them. Particulars of owner's name, boat number and carrying capacity to be painted on boat.

Licence and
other re-
quirements.

355. No boat shall be let for hire or engaged in carrying persons within the Port of London unless :

(1) A licence shall be in force relating to such boat which shall have been granted in pursuance of this Act or some previous Act for the time being in force ; and

(2) The name of such boat and the name of the owner or the names of the owners of such boat and the boat number of such boat and the number of persons which may be carried in such boat as respectively stated in the said licence shall be painted or engraved on or affixed to such part of such boat as and in such manner as and be so preserved and kept legible as the Port Authority may from time to time by bye-laws prescribe.

See section 22 of 6 Edw. 7, c. 48, for overcrowding of passenger steamers.

359–361. Licence for boat may be revoked under certain circumstances and to become void if the carrying capacity is altered.

363. Penalty for using craft contrary to Act, five pounds.

364. Penalty for showing fictitious particulars on any craft or boat, ten pounds.

367. Licence to cease to be in force upon change of ownership.

The following sections of the Act are set out in full as affecting Police :—

Power to
appoint
constables.

128. The Port Authority may appoint constables who shall be sworn in by two justices duly to execute the office of a constable within the limits of the docks and works and within 1 mile of the same and when so sworn in shall have the same powers protections and privileges within the limits aforesaid and in relation to or on board any vessel therein and shall be subject to the same liabilities as constables have or are subject to by the laws of the realm. Any two justices may dismiss any such constable from his office and upon such dismissal all powers protections and privileges vested in such constable shall cease.

Power of
constables
to go on
board
vessels.

134. Every constable on duty at the docks and works having just cause to suspect that any felony has been or is about to be committed on board any vessel within the limits of the docks and works or of the authority of the dockmaster may with such assistance as he thinks requisite enter at all times as well by night as by day in and upon every such vessel and search the same and take all necessary measures for the effectual prevention or detection of all felonies which he has just cause to suspect have been or are about to be committed and apprehend and detain all persons suspected to be concerned in the felonies and also all property suspected to be feloniously stolen and produce the same before some justice.

2 & 3 Vict.
c. 47.

The Metropolitan Police Act, 1839, gives special powers to the Metropolitan Police Force to board vessels. For the provisions of this Act see Metropolitan Police Guide.

163. If any person in any way obstruct or by aiding or abetting any other person in obstructing in the execution of his duty or employment any constable watchman or other person thereto appointed by or having instructions in writing in that behalf from the Port Authority or from the superintendent or dockmaster in going on board or entering into or upon or being in or upon any vessel for the purpose of searching for or extinguishing any fire candle or light being or suspected to be therein contrary to any provisions of this Act or contrary to any bye-law rule or regulation in force by virtue of this Act or for the purpose of discovering any theft or embezzlement committed or suspected to have been committed in or about the vessel or for the purpose of quelling any riot or disturbance therein or for any other purpose authorized by this Act or by any such bye-law rule or regulation every person so offending shall for every such offence be liable to a penalty not exceeding five pounds.

Penalty on person obstructing constable in execution of his duty.

276. Every steam launch shall when in course of navigation under mechanical power after sunset and before sunrise on any part of the Thames carry and exhibit the following lights (namely) :—

Steam launches.

- (1) On or before the foremast or if there be no foremast on the funnel or on a staff at the bow in either case at a height above the hull of not less than 4 feet a bright white light behind a glass shade or slide upon which the registered number of such launch shall be legibly and conspicuously painted in black figures ;
- (2) On the starboard side a green light ; and
- (3) On the port side a red light.

And every such light shall be of such character as to be visible on a dark night with a clear atmosphere at a distance of at least 1 mile.

Where any steam launch is in course of navigation under mechanical power after sunset and before sunrise without carrying or exhibiting such lights in manner aforesaid the master of such craft shall be liable to a penalty not exceeding ten pounds.

283. For the purposes of this part of this Act and of any bye-laws made thereunder the power and authority of all police officers and constables acting for any area through or by which the Thames flows shall extend over the whole of the width of so much of the Thames as abuts on that area and over any place within 100 yards on either side of such parts of the Thames as aforesaid and over the whole of any island any part whereof is in any part of the Thames as aforesaid.

Powers, &c., of police.

285. The Port Authority may if they think fit procure all or any of their officers and servants to be sworn in as constables for any of the counties adjoining the Thames or any of the cities boroughs or towns adjoining the Thames and maintaining separate police forces but they shall not be liable without the consent of the Port Authority to be called upon to perform the duties of such constables except for the purposes of this part of this Act or of any bye-laws made thereunder.

Bailiffs and servants of Port Authority may be sworn in as constables.

286. The Commissioner of Police of the Metropolis the Commissioner of City Police and the chief constables head constables or other officers having chief commands of police of all the counties and of all cities boroughs and towns maintaining separate police forces through or by which counties cities boroughs or towns the Thames flows respectively from time to time if they think fit at the request of the Port Authority and upon such terms as to payment by the Port Authority or otherwise as may from time to time be agreed upon between the Port Authority

Power to employ Metropolitan City, and County Police.

and the respective commissioners chief constables head constables or other officers having chief commands of police may provide officers and constables of police to keep the peace preserve order and prevent breaches of this part of this Act and any bye-laws made thereunder and generally to exercise police authority at the piers or landing-places and the avenues and approaches thereto belonging to or under the control of the Port Authority and situate within the jurisdictions of the respective commissioners chief constables head constables or other officers having chief commands of police and to remove any persons who may act in contravention of this part of this Act or any bye-laws made thereunder.

The Metropolitan Police Act, 1839, s. 5, provides as follows :—

2 & 3 Vict.
c. 47.

5. The constables belonging to the Metropolitan Police Force shall have all the powers and privileges of a constable in the Counties of Berkshire and Buckinghamshire, and upon the River Thames within or adjoining to the several Counties of Middlesex, Surrey, Berkshire, Essex, and Kent, and within or adjoining to the City of London and the liberties thereof, and in and on the several creeks, inlets, and waters, docks, wharfs, quays, and landing places, thereto adjacent, and shall act therein and thereupon, as fully as in any part of the Metropolitan Police District.

Regulations
on occasion
of
assemblage
of large
crowds.

287. Subject to the provisions of the next following section of this Act the Commissioner of Police of the Metropolis may with a view to maintaining order and securing the safety of the public from time to time give such orders as he thinks expedient for the purpose of regulating the passage of vessels on such part of the Thames as lies within his jurisdiction on any occasion when large crowds may assemble on such part.

If the master of any vessel disobeys any officer or constable of any police force engaged in keeping order on such occasion as aforesaid he shall in the case of a vessel propelled otherwise than by oars be liable to a penalty not exceeding twenty pounds and in the case of a vessel propelled by oars to a penalty not exceeding five pounds.

Any superintendent inspector or sergeant of any police force may enter on any vessel the master of which refuses to comply with any orders given in pursuance of this section for the purpose of taking such measures as may be necessary for carrying into effect the objects of this section or any orders made thereunder. And any person obstructing the entry of any superintendent inspector or sergeant in pursuance of this section or impeding his efforts to carry the same into effect shall for each offence be liable to a penalty not exceeding twenty pounds.

Police to
observe
bye-laws of
Port
Authority
and
directions
of their
officers.
Powers of
police as to
search and
arrest.

288. Whilst any bye-law of the Port Authority for regulating the passage of vessels on the Thames on any occasion when large crowds may assemble thereon shall be in force all officers and constables of any police force shall observe the same and if any inspector of the Port Authority shall be present on any such occasion all such police officers and constables shall in all things observe the directions of such inspector of the Port Authority.

456.—(1) The provisions of section 66 of the Metropolitan Police Act 1839 and any Acts amending the same with regard to the search and arrest of certain offenders shall apply to any person who is found upon or within 1 mile of any harbour dock or pier warehouse or other premises of the Port Authority or upon any vessel in any such harbour or dock whether within the Metropolitan Police District or not and may be reasonably suspected of having or carrying in any manner anything stolen or unlawfully obtained on or from any harbour dock or pier warehouse or other premises of the Port Authority or any such vessel

and any court of summary jurisdiction sitting in a district for which no metropolitan police court has been established shall have the same jurisdiction to deal with any person brought before it in pursuance of such provisions as is vested in a magistrate of the metropolitan police courts by section 24 of the Metropolitan Police Courts Act 1839.

(2) It shall be lawful for any constable to take into custody without warrant any person committing any offence within view of such constable or of any officer or servant of the Port Authority in contravention of any bye-laws made under this Act whose name and address is unknown to him and cannot be ascertained.

Power to
arrest with-
out warrant.

457.—(1) The quays wharfs docks and other premises of the Port Authority and the ships vessels and craft in the same premises shall be deemed to be public places within the meaning of the 54th section of the Act passed in the third year of the reign of Her late Majesty Queen Victoria intituled “An Act for further improving the Police in and near the Metropolis” for the purposes of making liable to the penalty imposed by the same section every person committing within the same premises any of the following offences but no further or otherwise (that is to say) :—

Dock
premises to
be deemed
public places
for certain
offences.

Every person having the care of any cart waggon truck or other carriage who shall ride upon any part thereof or on the shafts thereof or on any horse drawing the same without having or holding the reins or who shall be at such distance from such cart or carriage as not to have complete control over any horse drawing the same :

Every person who shall ride or drive furiously or so as to endanger the life or limb of any person or to the common danger of the passengers on the premises of the Port Authority :

Every person who shall suffer to be at large any unmuzzled ferocious dog or who shall set on or urge any dog to attack worry or put in fear any person or animal.

(2) Every person committing within the same premises any of the following offences shall also be liable to the penalty imposed by the said 54th section of the last-mentioned Act (that is to say) :—

Every person who shall ply place or stand any cart waggon truck or other carriage for hire :

Every person having the care of any cart waggon truck or other carriage whether empty or loaded who shall not immediately remove the same upon being directed so to do by any officer of the Port Authority :

Every person who shall place a cart waggon truck or other carriage whether for the purpose of loading or unloading contrary to the direction of an officer of the Port Authority :

Every person who shall use abusive language to an officer of the Port Authority while in the exercise of his duty.

CHAPTER X.

AIR NAVIGATION.

AIR NAVIGATION ACT, 1920, 10 & 11 Geo. 5, c. 80.

AIR NAVIGATION ORDER, 1922.

AIR NAVIGATION (INVESTIGATION OF ACCIDENTS) REGULATIONS, 1922.

The Navigation of the Air is now governed by the Air Navigation Act, 1920 and Regulations of 1922 made thereunder. By sections 1, 2, 3 and 4 of this Act power is given for Orders in Council to be made for licensing of aircraft, aerodromes, and pilots, and generally for the regulation and registration of air traffic and aircraft. By sections 6 and 8 power is given to the Air Council [established by the Air Force (Constitution) Act, 1917] and to local authorities to establish aerodromes and to purchase land therefor. By section 20 the earlier air navigation Acts are repealed, but certificates and licences issued thereunder are to continue in force. By para. 26 of the Air Navigation Regulations (p. 438, *post*) the Secretary of State may issue directions. The wording of this paragraph should be noted; plainly the power to *make* regulations and impose fresh restrictions and liabilities on the public cannot be delegated to the Secretary of State. Detailed Directions, dated 11th July, 1922, and numbered A.N.D. 3 have been issued. These directions deal with: Registration, approval and inspection of aircraft; Type aircraft; Subsequent aircraft; Modifications of aircraft; Licensing of ground engineers; Instruments to be carried; Log books; Licensing and examination of personnel and aerodromes.

THE AIR NAVIGATION ACT, 1920.

(10 & 11 Geo. 5, c. 80.)

Special
powers in
case of
emergency.

7.—(1) In time of war, whether actual or imminent, or of great national emergency, the Secretary of State may, by order, regulate or prohibit, either absolutely or subject to such conditions as may be contained in the order, and notwithstanding the provisions of this Act or any Order or regulations made thereunder, the navigation of all or any descriptions of aircraft over the British Islands or any portion thereof, or the territorial waters adjacent thereto; and, without prejudice to the generality of this provision, any such order may provide for taking possession of and using for the purposes of His Majesty's naval, military or air forces any aerodrome or landing ground, or any aircraft, machinery, plant, material or things found therein or thereon, and for regulating or prohibiting the use, erection, building, maintenance or establishment of any aerodrome, flying school, or landing ground, or any class or description thereof.

(2) The order may provide for the imposition of penalties to secure compliance with the order, not exceeding those which may be imposed for contravention of an Order in Council under Part I of this Act, and may authorize such steps to be taken in order to secure such compliance as appear to the Secretary of State to be necessary.

(3) Any person who suffers direct injury or loss, owing to the operation of an order of the Secretary of State under this section, shall be entitled to receive compensation from the Secretary of State, the amount thereof to be fixed, in default of agreement, by an official arbitrator

appointed under the Acquisition of Land (Assessment of Compensation) Act, 1919, the principles of that Act being applied, with the necessary modifications, where possession is taken of any land or premises : 9 & 10 Geo. 5, c. 57.

Provided that no compensation shall be payable by reason of the operation of a general order under this section prohibiting flying in the British Islands or any part thereof.

(4) An order under this section may be revoked or varied by a subsequent order made by the Secretary of State.

9.—(1) No action shall lie in respect of trespass or in respect of nuisance, by reason only of the flight of aircraft over any property at a height above the ground, which, having regard to wind, weather, and all the circumstances of the case is reasonable, or the ordinary incidents of such flight, so long as the provisions of this Act and any Order made thereunder and of the Convention are duly complied with ; but where material damage or loss is caused by an aircraft in flight, taking off, or landing, or by any person in any such aircraft, or by any article falling from any such aircraft, to any person or property on land or water, damages shall be recoverable from the owner of the aircraft in respect of such damage or loss, without proof of negligence or intention or other cause of action, as though the same had been caused by his wilful act, neglect or default, except where the damage or loss was caused by or contributed to by the negligence of the person by whom the same was suffered : Trespass, nuisance, and responsibility for damage.

Provided that, where any damages recovered from or paid by the owner of an aircraft under this section arose from damage or loss caused solely by the wrongful or negligent action or omission of any person other than the owner or some person in his employment, the owner shall be entitled to recover from that person the amount of such damages, and in any such proceedings against the owner the owner may, on making such application to the court and on giving such undertaking in costs as may be prescribed by rules of court, join any such person as aforesaid as a defendant, but where such person is not so joined he shall not in any subsequent proceedings taken against him by the owner be precluded from disputing the reasonableness of any damages recovered from or paid by the owner.

(2) Where any aircraft has been bonâ fide demised, let, or hired out for a period exceeding fourteen days to any other person by the owner thereof, and no pilot, commander, navigator, or operative member of the crew of the aircraft is in the employment of the owner, this section shall have effect as though for references to the owner there were substituted references to the person to whom the aircraft has been so demised, let, or hired out.

10.—(1) Where an aircraft is flown in such a manner as to be the cause of unnecessary danger to any person or property on land or water, the pilot or the person in charge of the aircraft, and also the owner thereof, unless he proves to the satisfaction of the court that the aircraft was so flown without his actual fault or privity, shall be liable on summary conviction to a fine not exceeding two hundred pounds, or to imprisonment with or without hard labour for a term not exceeding six months, or to both such imprisonment and fine. Penalty for dangerous flying.

For the purposes of this section, the expression "owner" in relation to an aircraft includes any person by whom the aircraft is hired at the time of the offence.

(2) The provisions of this section shall be in addition to and not in derogation of any general safety or other regulations prescribed by Order in Council under Part I of this Act.

Wreck and salvage.

11. The law relating to wreck and to salvage of life or property, and to the duty of rendering assistance to vessels in distress (including the provisions of the Merchant Shipping Acts, 1894 to 1916, and any other Act relating to those subjects), shall apply to aircraft on or over the sea or tidal waters as it applies to vessels, and the owner of an aircraft shall be entitled to a reasonable reward for salvage services rendered by the aircraft to any property or persons in any case where the owner of a ship would be so entitled :

Provided that provision may be made by Order in Council for making modifications of and exemptions from the provisions of such law and Acts as aforesaid in their application to aircraft, to such extent and in such manner as appears necessary or expedient.

Power to provide for investigation of accidents.

12.—(1) The Secretary of State may make regulations providing for the investigation of any accident arising out of or in the course of air navigation and occurring in or over the British Islands or the territorial waters adjacent thereto, or to British aircraft elsewhere.

(2) Without prejudice to the generality of the foregoing provision, regulations under this section may contain provisions—

- (a) requiring notice to be given of any such accident as aforesaid in such manner and by such persons as may be specified in the order ;
- (b) applying, with or without modification, for the purpose of investigations held with respect to any such accidents any of the provisions of section three of the Notice of Accidents Act, 1894 ;
- (c) prohibiting, pending investigation, access to or interference with aircraft to which an accident has occurred, and authorizing any person, so far as may be necessary for the purposes of an investigation, to have access to, examine, remove, take measures for the preservation of, or otherwise deal with any such aircraft ;
- (d) authorizing or requiring the cancellation, suspension, endorsement, or surrender of any licence or certificate granted under this Act or any order made thereunder, where it appears on an investigation that the licence ought to be cancelled, suspended, endorsed, or surrendered, and for the production of any such licence for the purpose of being so dealt with :

Provided that nothing in the section shall limit the powers of any authority under sections five hundred and thirty to five hundred and thirty-seven inclusive of the Merchant Shipping Act, 1894, or any enactment (including this Act) amending those sections.

57 & 58 Vict.
c. 28.

(3) If any person contravenes or fails to comply with any regulations under this section, he shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for a term not exceeding three months.

Infringe-
ment of
patents.

13.—(1) Where it is alleged by any person interested that a foreign aircraft making a passage through or over the British Islands infringes in itself or in any part of it any invention, design or model which is entitled to protection in the British Islands, it shall be lawful, subject

to and in accordance with Rules of Court, to detain such aircraft until the owner thereof deposits or secures in respect of the alleged infringement a sum (in this section called the deposited sum), and thereupon the aircraft shall not, during the continuance or in the course of the passage, be subject to any lien, arrest, detention or prohibition, whether by order of a court or otherwise, in respect or on account of the alleged infringement.

(2) The deposited sum shall be such a sum as may be agreed between the parties interested, or in default of agreement shall be fixed by the Secretary of State or some person duly authorized on his behalf, and payment thereof shall be made or secured to him in such manner as he shall approve. The deposited sum shall be dealt with by such tribunal and in accordance with such procedure as may be prescribed by Rules of Court, and such rules may provide generally for carrying this section into effect.

(3) For the purpose of this section, the expression "owner" shall include the actual owner of an aircraft, and any person claiming through or under him, and the expression "passage" shall include all reasonable landings and stoppages in the course or the purpose of a passage.

14.—(1) Any offence under this Act or under an Order in Council or regulations made thereunder, and any offence whatever committed on a British aircraft shall, for the purpose of conferring jurisdiction, be deemed to have been committed in any place where the offender may for the time being be. Jurisdiction.

(2) His Majesty may, by Order in Council, make provision as to the courts in which proceedings may be taken for enforcing any claim under this Act, or any other claim in respect of aircraft, and in particular may provide for conferring jurisdiction in any such proceedings on any court exercising Admiralty jurisdiction and applying to such proceedings any rules of practice or procedure applicable to proceedings in Admiralty.

(3) Section six hundred and ninety-two of the Merchant Shipping Act, 1894, shall, with the necessary modifications, and in particular with the substitution of the Air Council for the Board of Trade, apply to the detention of any aircraft under this Act or any orders or regulations made thereunder as it applies to the detention of a ship under that Act.

17.—(1) An Order in Council under this Act may be made applicable to any aircraft in or over the British Islands or the territorial waters adjacent thereto, and to British aircraft wherever they may be. Provisions as to Orders in Council.

(2) An Order in Council under this Act may be revoked or varied by a subsequent Order in Council

(3) Any Order in Council made under this Act shall be laid before each House of Parliament forthwith, and, if an Address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after any such Order is laid before it praying that the Order or any provision thereof may be annulled, His Majesty in Council may annul the Order or provision, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

Savings.

18.—(1) This Act shall not apply to aircraft belonging to or exclusively employed in the service of His Majesty :

Provided that His Majesty may, by Order in Council, apply to any such aircraft, with or without modification, any of the provisions of this Act or of any orders or regulations made thereunder.

(2) Nothing in this Act, or in any orders or regulations thereunder, shall prejudice or affect the rights, powers, or privileges of any general or local lighthouse authority.

AIR NAVIGATION ORDER, 1922.

(Dated 20th June, 1922.)

S.R. & O., 1922, No. 663.

Whereas at Paris on the thirteenth day of October, 1919, a Convention for determining by a common agreement certain uniform rules with respect to international air navigation (hereinafter referred to as "the Convention" was signed on behalf of His Majesty :

10 & 11
Geo. 5, c. 80.

And whereas by section one of the Air Navigation Act, 1920 (hereinafter referred to as "The Act"), it is enacted that His Majesty may make such Orders in Council as appear to him necessary for carrying out the Convention and for giving effect thereto or to any of the provisions thereof, or to any amendment which may be made under Article thirty-four thereof :

And whereas by section two of the Act it is enacted that His Majesty may, by Order in Council, direct that the provisions of the Convention for the time being in force, or any of them, and whether or not those provisions are limited to aircraft of any special description, or engaged in any special kind of navigation, shall apply to or in relation to any aircraft in or over the British Islands or the territorial waters adjacent thereto, and may make such consequential and supplementary provisions as appear necessary or expedient for the purpose of such application :

And whereas by section three of the Act it is enacted that, without prejudice to the generality of the powers thereinbefore conferred, an Order in Council under Part I of the Act may make provision for the divers matters in relation to the regulation of air navigation which are set out in that section :

And whereas by subsection (1) of section seventeen of the Act it is enacted that an Order in Council under the Act may be made applicable to any aircraft in or over the British Islands or the territorial waters adjacent thereto, and to British aircraft wherever they may be :

And whereas by subsection (1) of section eighteen of the Act it is enacted that the Act shall not apply to aircraft belonging to or exclusively employed in the service of His Majesty, provided that His Majesty may by Order in Council apply to any such aircraft, with or without modification, any of the provisions of the Act or of any orders or regulations made thereunder :

And whereas at Paris on the fourth day of June, 1920, an additional protocol to the Convention (hereinafter referred to as "the protocol") was signed on behalf of His Majesty :

And whereas under the provisions of the protocol and subject to the terms and conditions thereof derogations from Article 5 of the Convention may be granted authorizing contracting States to allow the flight over their territory of aircraft of specified non-contracting States :

56 & 57 Vict.
c. 66.

And whereas the provisions of the Rules Publication Act, 1893, have been complied with :

Now therefore His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

Nationality
of aircraft.

1.—(1) An aircraft shall be deemed to possess the nationality of the State on the register of which it is entered.

(2) Aircraft registered in the British Islands, and aircraft registered in any other part of His Majesty's dominions when in or over the British Islands, shall be deemed to be, and are in this Order referred to as, British aircraft.

Aircraft to
which Order
applies.

2. The provisions of this Order apply (unless the contrary intention appears) to all British aircraft registered in the British Islands wherever such aircraft may be, and to other British aircraft and foreign aircraft when such aircraft are in or over the British Islands.

3.—(1) An aircraft shall not fly unless the following general conditions are complied with :—

General conditions of flying.

- (i) The aircraft shall be registered and bear the prescribed nationality and registration marks and the name and residence of the owner affixed or painted on the aircraft in the prescribed manner ;
- (ii) The aircraft shall be certified as airworthy in the prescribed manner, and any terms or conditions on or subject to which the certificate of airworthiness was granted shall be duly complied with ;
- (iii) The personnel of the aircraft shall be provided with the prescribed certificates of competency and licences ;
- (iv) There shall be carried in the aircraft the prescribed documents and the prescribed log books kept up to date in the prescribed form and manner :

Provided that :—

(a) Conditions (i), (ii) and (iv) shall not apply to aircraft flown for the purpose of experiment or test only, within 3 miles of an aerodrome or aircraft factory, or in accordance with such directions (if any) as may be given by the Secretary of State ; and

(b) Condition (iii) shall not apply in the case of candidates undergoing official tests for the purpose of obtaining a licence, or within 3 miles of an aerodrome in the case of personnel under instruction.

(c) Condition (ii) shall not apply before the first day of January, 1923, except in the case of passenger aircraft when carrying passengers, and aircraft engaged in international navigation.

(2) In this article " prescribed," in relation to aircraft other than British aircraft registered in the British Islands, means prescribed by the law of the State on whose register the aircraft is entered and in relation to British aircraft, registered in the British Islands has the meaning assigned to it by article 27 of this Order.

4.—(1) Save as hereinafter expressly provided, an aircraft shall not fly within the British Islands unless the following further conditions are complied with :—

Further conditions of flying within the British Islands.

- (i) The aircraft shall possess the nationality of a contracting State ;
- (ii) The provisions of this Order as to general safety, and as to the dropping of articles from aircraft, shall be duly complied with ;
- (iii) The aircraft shall not land in any prohibited area as defined in this Order and shall not fly over any such area at a lower altitude than 6,000 feet ;
- (iv) Such members of the personnel of the aircraft as are British subjects shall be provided with certificates of competency and licences issued or rendered valid by a duly competent British authority ;
- (v) The prescribed conditions as to the maintenance of airworthiness shall be complied with, and the prescribed certificates as to airworthiness shall be carried in the aircraft ;
- (vi) The aircraft shall conform to such orders as may be lawfully given in regard to it by officers of Police or of Customs and Excise :

Provided that—

(a) Condition (i) shall not apply to the aircraft of those States which have signed but have not ratified the Convention or of the following States, that is to say, Spain, Switzerland, Norway, Sweden, Denmark, the Netherlands, Finland, Esthonia, Latvia and Monaco ; and

(b) Conditions (i) and (v) shall not apply to aircraft flown for the purpose of experiment or test only, within 3 miles of an aerodrome or aircraft factory, or in accordance with such directions (if any) as may be given by the Secretary of State ; and

(c) Condition (iv) shall not apply in the case of candidates undergoing official tests for the purpose of obtaining a licence, or within 3 miles of an aerodrome in the case of personnel under instruction.

(2) A fixed balloon shall not be flown within 5 miles of any aerodrome within the British Islands except with the special permission in writing of the Secretary of State, and subject to any conditions that may be attached to such permission, and the Secretary of State may, on the granting of such permission or subsequently, direct that the provisions of this Order or any of them shall not apply to the balloon in question, or shall apply subject to such modifications as he thinks fit.

5.—(1) A passenger aircraft carrying passengers shall not use as a regular place of departure or landing any place in the British Islands other than a licensed aerodrome, or an aerodrome specially approved for the purpose by the Secretary of State.

Further conditions applicable to passenger aircraft.

(2) A passenger aircraft carrying more than ten passengers and having to make a continuous flight between two points more than 310 miles apart over land, or a night flight, or a flight between two points more than 124 miles apart over sea, shall have on board a certificated navigator.

References to schedules.

6. The provisions in Schedules I to VIII inclusive to this Order shall have effect as part of this Order, and shall be duly observed by all persons concerned in the cases to which they relate, that is to say:—

Schedule.	Subject matter.
I	Registration and marking of aircraft.
II	Certificates of airworthiness for aircraft; periodical overhaul and examination; detention of unairworthy aircraft.
III	Log books.
IV	Rules as to lights and signals and rules of the air.
V	Licensing of personnel.
VI	Fees.
VII	Prohibited areas.
VIII	Customs rules as to aircraft arriving in or departing from the United Kingdom.

Aerodromes.

7.—(1) A place in the British Islands shall not be used as a regular place of landing or departure by passenger aircraft carrying passengers, unless it is licensed for the purpose by the Secretary of State, and any conditions of such licence are complied with.

(2) Every aerodrome which is licenced for public use or which is open to such use by British aircraft upon payment of charges shall to the same extent and upon the same conditions be open to use by aircraft possessing the nationality of a contracting State.

(3) In every aerodrome to which the last preceding paragraph applies there shall be a single tariff of charges, including charges for landing and length of stay, applicable alike to British and foreign aircraft, and such tariff shall be in such form and on such a scale as may be directed or approved by the Secretary of State, and shall be kept exhibited in a conspicuous place at the aerodrome.

(4) In the case of any contravention of or failure to comply with this article, the proprietor of the aerodrome shall be deemed to have acted in contravention of or, as the case may be, failed to comply with this Order.

(5) Paragraphs (1), (2) and (4) of this article shall not apply to Royal Air Force aerodromes or aerodromes under the control of the Secretary of State, the use of which has been sanctioned by the Secretary of State, but any directions of the Secretary of State as to the use of such aerodromes shall be complied with.

Right of inspection and access to aerodromes and factories.

8.—(1) Any person authorized by the Secretary of State for the purpose shall have the right of access at all reasonable times to any aerodrome for the purpose of inspecting the same, or to any place to which access is necessary for the purpose of carrying out his powers and duties under this Order.

(2) All military aircraft belonging to or employed in the service of His Majesty shall have at all reasonable times the right of access to any licensed aerodrome, subject to the conditions of the licence.

(3) During the construction of an aircraft for which a certificate of airworthiness is desired, any person authorized by the Secretary of State shall, at all times during working hours, have the right of access for purposes of inspection to that portion of the shops in which parts are being manufactured or assembled, and to drawings of the parts under inspection, whether at the works of the main contractor or of sub-contractors.

General safety provisions.

9.—(1) An aircraft shall not fly over any city or town within the British Islands except at such altitude as will enable the aircraft to land outside the city or town should the means of propulsion fail through mechanical breakdown or other cause:

Provided that this prohibition shall not apply to any area comprised within a circle with a radius of 1 mile from the centre of a licensed aerodrome or of a Royal Air Force aerodrome or of an aerodrome under the control of the Secretary of State.

- (2) A person in an aircraft in or over the British Islands shall not—
- (a) carry out any trick flying or exhibition flying over any city or town area or populous district; or
 - (b) carry out any trick flying or exhibition flying over any regatta, race meeting, or meeting for public games or sports, except where specially arranged for in writing by the promoters of such regatta or meeting; or
 - (c) carry out any flying which by reason of low altitude or proximity to persons or dwellings or for any other reason is the cause of unnecessary danger to any person or property on land or water.

10. A person in an aircraft in or over the British Islands shall not drop, or cause or permit to be dropped, from the aircraft any article except—

- (1) ballast as authorized by paragraph 35 of Schedule IV to this Order;
- (2) articles dropped in accordance with directions issued by the Secretary of State.

Dropping of articles from aircraft.

11. Every British aircraft registered in the British Islands shall when flying carry such instruments as may be prescribed by the Secretary of State.

Instruments to be carried by British aircraft.

12.—(1) Every British aircraft registered in the British Islands shall carry the following documents when flying:—

- (a) its certificate of registration;
- (b) its certificate of airworthiness, and any other certificate relating to the aircraft, which may be required by this Order;
- (c) the certificates of competency and licences of its personnel;
- (d) the prescribed log books;
- (e) any licence to use wireless apparatus in the aircraft which may have been issued by the Postmaster-General.

Documents to be carried by British aircraft.

(2) Every such aircraft engaged in international navigation shall, in addition, carry the following documents:—

- (a) if it carries passengers, a list of their names;
- (b) if it carries freight, bills of lading and manifest in respect thereof.

13.—(1) Any person required under this Order to be provided with a licence shall on demand produce his licence for the inspection of any person authorized for the purpose by the Secretary of State.

Production of documents for inspection.

(2) The owner, hirer and person in charge of any aircraft shall, on demand, produce or cause to be produced for the inspection of any person authorized for the purpose by the Secretary of State, any certificates or licences relating to the aircraft and any of the prescribed log books.

14. Save for the purposes of the provisions of Schedule IV to this Order as to signals—

Prohibited Carriage.

(1) An aircraft engaged in international navigation shall not carry explosives or arms or munitions of war; and

(2) A foreign aircraft shall not carry explosives or arms or munitions of war between any two points within the British Islands.

15. An aerial lighthouse shall not be established or maintained within the British Islands, nor the character of the light exhibited therefrom altered, except with the approval of the Secretary of State, and subject to such conditions as he may prescribe:

Aerial lighthouses.

Provided that, in the case of an aerial lighthouse the light from which would or might be visible from the sea or from any waters over which a general lighthouse authority exercise jurisdiction, such approval shall not be given except with the consent of the general lighthouse authority.

16.—(1) Whenever any light is exhibited within the British Islands at such place or in such manner as to be liable to be mistaken for a light proceeding from an aerial lighthouse or for a prescribed light at an aerodrome, the Secretary of State may serve a notice upon the owner of the place where the light is exhibited or upon the person having charge of the light directing that owner or person within a reasonable time, to be specified in the notice, to take effectual means for extinguishing or effectually screening the light and for preventing for the future any similar light.

False lights.

(2) The notice may be served either personally or by post, or by affixing the same in some conspicuous place near to the light to which the notice relates.

(3) If any owner or person on whom a notice is served under this article fails, without reasonable cause, to comply with the directions contained in the notice, he shall be deemed to have failed to comply with this Order.

(4) If any owner or person on whom a notice under this article is served, neglects for a period of seven days to extinguish or effectually screen the light mentioned in the notice, the Secretary of State may enter upon the place where the light is and forthwith extinguish the same, doing no unnecessary damage, and may recover the expenses incurred by him in so doing from the owner or person on whom the notice has been served.

(5) In the case of lights which would or might be visible from the sea or waters over which a general lighthouse authority exercises jurisdiction, the powers of the Secretary of State under this article shall not be exercised except with the consent of the general lighthouse authority.

Use of
signals,
signs and
marks.

17.—(1) In making or receiving signals by wireless telegraphy or other method of communication, except when opening up communications by means of visual signals, every aircraft possessing the nationality of a contracting State shall use as its call-sign the complete group of five letters which constitutes its nationality and registration marks.

(2) A person in an aircraft shall not make any signal prescribed by this Order except for the purposes specified therein, and shall not knowingly make, without lawful authority or excuse (proof whereof shall lie on the accused), any naval, military or air force signal.

(3) An aircraft other than a State aircraft shall not bear any mark or sign used or appropriated for use by State aircraft.

Arrival in
and depart-
ure from
the British
Islands.

18.—(1) The Secretary of State may prescribe points between which aircraft when entering the British Islands from abroad or leaving the British Islands for abroad shall pass.

(2) If such points are for the time being so prescribed, no aircraft shall enter the British Islands from abroad, or leave the British Islands for abroad, except between such points:

Provided that—

(a) if an aircraft is compelled by accident, stress of weather, or unavoidable cause, to enter the United Kingdom from abroad elsewhere than between such points it shall land at the Customs aerodrome in the United Kingdom nearest to its route; and

(b) if it is so compelled to land as aforesaid before reaching such aerodrome the procedure laid down in paragraph 21 of Schedule VIII to this Order shall be followed.

4 & 5 Geo. 5,
c. 17.
8 & 9 Geo. 5,
c. 38.

(3) Any provisions for the time being in force of the Aliens Restriction Acts, 1914 and 1919, or of any Orders made thereunder, with respect to persons arriving in or departing from the United Kingdom by sea shall apply to persons arriving or departing by air as if the same were herein set out, with such modifications as are necessary for adapting them to such purpose.

Customs
provisions to
be observed
by aircraft
flying
abroad.

19. If the Secretary of State is satisfied that any person has, in respect of any British aircraft registered in the British Islands, been convicted by a competent court of an offence against the provisions of the Customs law of a contracting State, so far as those provisions are in accordance with Annex H of the Convention, which is set out in Schedule IX to this Order, he may (without prejudice to any other powers conferred upon him by this Order) cancel or suspend the certificate of registration of that aircraft.

Forgery, &c.,
of docu-
ments.

20.—(1) A person shall not—

(a) forge or fraudulently alter or assist in forging or fraudulently altering, or procure to be forged or fraudulently altered, any licence or certificate required under this Order; or

(b) make, assist in making, or procure to be made any false representation for the purpose of procuring for himself or any other person the issue, validation, or renewal of any such licence or certificate; or

(c) fraudulently use any such licence or certificate which has been forged, altered, cancelled, or suspended, or to which he is not entitled; or

(d) fraudulently lend any such licence or certificate or allow it to be used by any other person.

(2) A person shall not destroy, mutilate, alter, or render illegible any log book or any entry made therein, or wilfully make or procure or assist in the making of any false or fraudulent entry in or omission from any log book.

Application
to foreign
military
aircraft.

21. A foreign military aircraft shall not fly over or land in the British Islands except on the express invitation or with the express permission of His Majesty or of a Government Department, but any aircraft so flying or landing on such invitation or with such permission shall be exempt from this Order to such extent and on such conditions as may be specified in the invitation or permission.

22.—(1) Except where otherwise expressly stated, this Order applies to aircraft belonging to or employed in the service of His Majesty, other than military aircraft, but does not apply to any aircraft or to any persons if and to such extent as such aircraft or persons may be excepted from this Order by direction of the Secretary of State on the recommendation of a Government Department. Exceptions to operation of Order.

(2) The Secretary of State may, by a special and temporary authorization in writing and subject to such conditions as may be specified therein, permit the flight within the limits of the British Islands of an aircraft which does not possess the nationality of a contracting State or of one of the States mentioned in paragraph (2) of article 4 of this Order; and in such case, during the period specified in the authorization and provided that the conditions specified therein are complied with and that the authorization is carried in the aircraft, the provisions of this Order shall not apply to such aircraft except to such extent as may be specified in the authorization.

23.—(1) If an aircraft flies in contravention of, or fails to comply with, this Order or any provision thereof, the owner or hirer of the aircraft (if other than the Crown) and the pilot or commander thereof shall be deemed to have contravened or, as the case may be, failed to comply with this Order: Penalties.

Provided that—

- (a) it shall be a defence to any proceedings for such contravention of, or failure to comply with this Order if the contravention or failure is proved to have been due to stress of weather or other unavoidable cause; and
- (b) it shall be a defence to any proceedings under articles 9 and 10 of this Order against the owner or hirer of an aircraft to prove that the alleged contravention took place without his actual fault or privity.
- (2) If any person obstructs or impedes any person acting under the authority of the Secretary of State in the exercise of his powers and duties under this Order, such first-mentioned person shall be deemed to have acted in contravention of this Order.
- (3) If any person contravenes or fails to comply with this Order or any provision thereof he shall on summary conviction be liable to imprisonment for a term not exceeding six months or to a fine not exceeding two hundred pounds, or to both such imprisonment and fine.
- (4) Any aircraft which flies or attempts to fly over a prohibited area or enters the British Islands in contravention of this Order is liable to be fired on in accordance with the provisions of Schedule VII to this Order.
- (5) Any proceedings in respect of contravention of or failure to comply with any of the provisions of Schedule VIII to this Order shall be deemed to be proceedings for the recovery of a penalty under the Acts relating to the Customs.

24.—(1) Any certificate granted under Schedule I, or any licence granted under Schedules II or V to this Order, or the licence of any aerodrome, may be cancelled, suspended or endorsed by the Secretary of State on sufficient ground being shown to his satisfaction, after due inquiry, and his decision shall be final; and in special cases the Secretary of State may suspend any such licence temporarily and provisionally pending the holding of an inquiry. Power to cancel, suspend, or endorse licences and certificates.

(2) Any certificate relating to the airworthiness of an aircraft may be cancelled or suspended by the Secretary of State if he is satisfied that reasonable doubt exists as to the safety of the aircraft in question or of the type to which the aircraft in question belongs, and the conditions attached to any such certificate may be varied by the Secretary of State if he is satisfied that those conditions may properly be relaxed, or that reasonable doubt exists as to whether those conditions afford a sufficient margin of safety.

(3) Where any person is convicted of any contravention of or failure to comply with this Order in respect of any aircraft the Secretary of State may cancel or suspend the certificate of registration of that aircraft.

(4) The Secretary of State may require the holder of any licence or certificate granted under this Order (or any person having the possession or custody of any such licence or certificate) to surrender the same to him for cancellation, suspension or variation, or, in the case of a licence, for endorsement, in accordance with the provisions of this Order; and any person failing to comply with any such requirement within a reasonable time shall be deemed to have failed to comply with this Order.

25. Any regulations made by the Secretary of State under section 12 of the Act, for the investigation of accidents, shall, to such extent, if any, as may be specified in those regulations, apply to aircraft belonging to or exclusively employed in the service of His Majesty. Application of accident regulations to Crown aircraft.

Directions
by the
Secretary of
State.
Interpreta-
tion.

26. The Secretary of State may issue such directions as he thinks fit for the purpose of supplementing or giving full effect to the provisions of this Order, including the Schedules thereto.*

27.—(1) In this Order, unless the context otherwise requires—

“Aircraft” includes all balloons, whether fixed or free, kites, airships, and flying machines;

“Airship” means an aircraft using gas lighter than air as a means of support, and having means of propulsion;

“Balloon,” either fixed or free, means an aircraft using gas lighter than air as a means of support and having no means of propulsion;

“Flying machine” includes all aeroplanes, seaplanes, flying boats, or other aircraft heavier than air and having means of propulsion;

“Military aircraft” includes naval, military, and air force aircraft; and every aircraft commanded by a person in naval, military or air force service detailed for the purpose shall be deemed to be a military aircraft;

“State aircraft” means military aircraft and aircraft exclusively employed in State service, including postal, Customs and police service;

“Passenger aircraft” and “goods aircraft” mean respectively aircraft intended for carrying passengers or goods (including mails), for hire or reward, and include respectively aircraft in which passengers or goods are actually so carried;

“Personnel” (in relation to an aircraft) includes the pilot, commander, navigator, and engineer, and any operative member of the crew;

“Aerodrome” means any definite and limited ground or water area intended to be used, either wholly or in part, for the landing or departure of aircraft;

“Proprietor of an aerodrome” includes any person responsible for the management thereof;

“Licensed aerodrome” means an aerodrome licensed under this Order;

“Prescribed” (except where otherwise expressly provided) means prescribed by this Order or by directions of the Secretary of State thereunder;

“Prohibited area” means any of the areas referred to in Schedule VII to this Order;

“Contracting State” means any State which is for the time being a party to the Convention, and this Order shall apply to aircraft possessing the nationality of a State in respect of which a derogation to His Majesty in respect of the British Islands has been granted under the Protocol as it applies to aircraft possessing the nationality of a contracting State;

“Secretary of State” includes, in relation to any purpose of this Order, any person authorized by the Secretary of State for that purpose;

“Under way,” in relation to an airship, means when it is not made fast to the ground or any object on land or water;

(2) In this Order references to the British Islands include references to the territorial waters adjacent thereto.

52 & 53
Vict. c. 63.

(3) The Interpretation Act, 1889, applies for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament, and as if this Order were an Act of Parliament.

Printing of
Order.

28.—(1) Where by any Order in Council for the time being in force any articles or words are directed to be added to or omitted from this Order, or to be substituted for any other articles or words in this Order, then, copies of this Order printed under the authority of His Majesty's Stationery Office, after such direction takes effect, may be printed with the articles or words added or omitted or substituted for other articles or words as such direction requires and with the articles and paragraphs thereof numbered in accordance with such direction, and this Order shall be construed as if it had at the time when such direction takes effect been made with such addition, omission or substitution.

(2) A reference in any document to this Order or to any provisions thereof shall, unless the context otherwise required, be construed as referring to this Order as amended by any Order in Council for the time being in force.

Saving.

29. Nothing in this Order shall be construed as conferring any right to land in any place as against the owner of the land or other persons interested therein, or as prejudicing the rights or remedies of any person in respect of any injury to persons or property caused by an aircraft.

* Air Navigation Directions, A.N.D. 3 of 11th July, 1922, have been issued. See note on p. 428.

30. If, after the establishment of the Irish Free State, the legislature thereof makes separate provision for the purpose of giving effect to the Convention or any part thereof, this Order, so far as it makes provision for the same purpose, shall have effect as though the expressions "the British Islands" and "the United Kingdom" did not include the Irish Free State.

Application to Irish Free State.

31.—(1) This Order may be cited as the Air Navigation Order, 1922.

(2) This Order shall, except to such extent as is otherwise in this Order expressly provided, come into operation on the eleventh day of July, 1922.

Short Title, commencement, and revocation of existing regulations.

(3) The Air Navigation Regulations, 1919, and all orders made by the Secretary of State amending those regulations shall be revoked as from the commencement of this Order.

ALMERIC FITZROY.

SCHEDULES.

Schedule I.

Schedule I.

REGISTRATION AND MARKING OF AIRCRAFT.

A.—Registration.

1. An aircraft shall not be registered in the British Islands unless it is owned wholly either—

- (a) by British subjects or persons under His Majesty's protection; or
- (b) by a company or corporation registered and having its principal place of business in His Majesty's dominions or in territory which is under His Majesty's protection or in respect of which a mandate is being exercised by the Government of any part of His Majesty's dominions, and whereof the chairman and at least two-thirds of the directors are British subjects or persons under His Majesty's protection:

and no aircraft shall be registered in the British Islands which is already validly registered in any other contracting State.

2. The registration of aircraft registered in the British Islands shall be carried out by the Secretary of State, who, upon such registration, shall grant a certificate of registration and shall assign to the registered aircraft a registration mark.

The Secretary of State may in any case in which he thinks it desirable require the applicant for a certificate of registration under this Schedule, to make and subscribe a statutory declaration as to the truth of the facts set out in the application, and the provisions of the Statutory Declarations Act, 1835, shall apply to such a declaration.

5 & 6 Will 4,
c. 62.

3. In the event of any change in the ownership of a registered aircraft, or if a registered aircraft ceases to be owned wholly either by persons or by a company or corporation fulfilling the conditions set out in paragraph 1 of this Schedule, then:—

- (1) the registered owner of the aircraft shall forthwith notify the Air Ministry of such change of ownership or, as the case may be, that the aircraft has ceased to be so owned as aforesaid; and
- (2) the registration and the certificate thereof shall lapse as from the date of such change of ownership, or the date on which the aircraft ceased to be so owned.

4. When a registered aircraft has been destroyed or permanently withdrawn from use, the registered owner shall as soon as possible notify the Air Ministry accordingly, and the registration and the certificate thereof shall lapse as from the date of such notification.

5. Certificates of registration shall not remain valid unless endorsed by the Secretary of State at intervals not exceeding twelve months.

6. The register of British aircraft registered in the British Islands shall be open to inspection at such times and subject to such conditions as may be prescribed.

B.—Marking.

7. The British nationality mark shall be the capital letter G in Roman character, and the registration mark shall be a group assigned by the Secretary of State of four capital letters in Roman character, at least one of which shall be a vowel.

For the purposes of this provision the letter Y shall be treated as a vowel.

8. The aircraft shall carry affixed to the car or to the fuselage, in a prominent position, a metal plate inscribed with the names and residence of the owner and he marks of nationality and registration.

9. The nationality and registration marks shall also be painted in black on a white ground in the following manner, and (in the case of aircraft other than State or passenger or goods aircraft) the registration mark shall be underlined with a black line :—

- (a) *Flying Machines*.—The marks shall be painted once on the lower surface of the lower main planes, and once on the upper surface of the top main planes, the top of the letters to be towards the leading edge. They shall also be painted along each side of the fuselage between the main planes and the tail planes. In cases where the machine is not provided with a fuselage the marks shall be painted on the nacelle.
- (b) *Airships and Balloons*.—In the case of airships the marks shall be painted near the maximum cross section on both sides and on the upper surface, equidistant from the letters on the sides. In the case of balloons the marks shall be painted twice near the maximum horizontal circumference as far as possible from one another. In the case both of airships and balloons the side marks shall be visible both from the sides and ground.

10. The nationality mark in the case of flying machines and airships shall also be painted on the port and starboard sides of the lower surface of the lowest tail planes or elevators and also on the upper surface of the top tail planes or elevators, whichever is the larger. It shall also be painted on both sides of the rudder, or on the outer sides of the outer rudders if more than one rudder is fitted.

In the case of balloons the nationality mark shall be painted on the basket.

11. In the case of flying machines the height of the marks on the main planes and tail planes respectively shall be equal to four-fifths of the chord, and, in the case of the rudder, shall be as large as possible. The height of the marks on the fuselage or nacelle shall be equal to four-fifths of the depth of the narrowest part of that portion of the fuselage or nacelle on which the marks are painted.

In the case of airships the nationality marks painted on the tail plane shall be equal in height to four-fifths of the chord of the tail plane, and, in the case of the rudder, shall be as large as possible. The height of the other marks shall be equal to at least one-twelfth of the circumference of the maximum transverse cross-section of the airship.

In the case of balloons the height of the nationality mark shall be equal to four-fifths of the height of the basket, and the height of the other marks shall be equal to at least one-twelfth of the circumference of the balloon.

In the case of all aircraft the letters of the nationality and registration marks need not exceed 8 feet in height.

12. The width of the letters shall be two-thirds of their height, and the thickness shall be one-sixth of their height. The letters shall be painted in plain block type and shall be uniform in shape and size. A space equal to half the width of the letters shall be left between the letters.

13. In the case of underlined letters the thickness of the line shall be equal to the thickness of the letter. The space between the bottom of the letters and the line shall be equal to the thickness of the line.

14. Where the nationality and registration marks appear together, a hyphen of a length equal to the width of one of the letters shall be painted between the nationality mark and registration mark.

15. The nationality and registration marks shall be displayed to the best possible advantage, taking into consideration the constructional features of the aircraft. The marks must be kept clean and visible.

Schedule II.

Schedule II.

CERTIFICATES OF AIRWORTHINESS FOR AIRCRAFT ; PERIODICAL OVERHAUL AND EXAMINATION ; DETENTION OF UNAIRWORTHY AIRCRAFT.

General.

1. A certificate of airworthiness in respect of one aircraft of any type (hereinafter referred to as "a type aircraft") may be issued by the Secretary of State in accordance with the conditions set out in this Schedule.

2. Where a certificate of airworthiness has been issued in respect of a type aircraft, the Secretary of State may issue certificates of airworthiness in respect of any other aircraft of that type if he is satisfied that such aircraft conforms in all essential respects with the type aircraft, is of satisfactory workmanship and materials, and is fitted with the prescribed instruments.

For the purpose of so satisfying himself, the Secretary of State may, as regards any or all of the matters in question, accept reports furnished to him—

- (a) by an authorized officer of the Air Ministry ; or
- (b) by any person or firm whom the Secretary of State may appoint, authorize, or recognize as qualified for the purpose, upon the result of an inspection of the aircraft carried out by such person or firm, in accordance with such conditions and arrangements as may be approved by the Secretary of State :

Provided that the Secretary of State may take steps to test any inspection upon the result of which a report has been furnished to him as aforesaid (not being an inspection made by an authorized officer of the Air Ministry), and if such test inspection in his opinion warrants such a course, may order a further inspection to be carried out by any person or persons duly appointed or authorized by him, and may issue or refuse a certificate as he may decide after such further inspection :

Provided also that the Secretary of State may, after the test inspection, refuse to accept for the purpose of certificates of airworthiness further reports furnished by the person or firm to whom the test inspection relates.

Where a certificate of airworthiness has been issued in respect of a type aircraft, the certificate shall have effect as a certificate of the airworthiness of the particular aircraft for such period only and subject to renewal in like manner as a certificate issued in respect of an aircraft other than a type aircraft, but save as aforesaid a certificate issued in respect of a type aircraft shall continue as a valid certificate in respect of the type until cancelled by the Secretary of State.

3. A certificate of airworthiness shall remain valid only for such period as may be prescribed therein unless renewed by the Secretary of State for a further period. For the purpose of granting any such renewal the Secretary of State may require to be furnished with such evidence as to the existing condition of the aircraft as he may think fit.

Detention of Unairworthy Aircraft.

4. If the Secretary of State has reason to believe, on complaint or otherwise, that a passenger or goods aircraft within the British Islands is intended or is about to proceed on any flight while in a condition unfit for flight, he may cause the aircraft to be provisionally detained for the purpose of being inspected by authorized representatives of the Secretary of State, and may, upon the result of such inspection, cause the aircraft to be further detained until the execution of such alterations or repairs as he may consider necessary to render the aircraft fit for flight.

Type Aircraft.

5. A certificate of airworthiness will not be granted for any type of aircraft until the following conditions have been fulfilled :—

- (a) The design has been approved by the Secretary of State in regard to safety ;
- (b) The construction has been so approved in regard to workmanship and material used ;
- (c) The necessary provision has been made for the equipment of the aircraft with such instruments as may be directed by the Secretary of State ; and
- (d) A satisfactory demonstration in accordance with the directions of the Secretary of State has been made in flying trials that the aircraft is safe for the purpose for which it is intended.

Periodical Overhaul.

6. All British aircraft shall be inspected, overhauled and certified as airworthy from time to time in accordance with directions given by the Secretary of State by competent persons licensed by him in that behalf.

7. Aircraft, in respect of which a certificate of airworthiness has been issued under this Schedule, may be inspected by authorized representatives of the Secretary of State, and the Secretary of State may cancel or suspend the certificate of airworthiness of any aircraft deemed to be unsafe as a result of such inspection.

Examination before Flight.

8. An aircraft carrying passengers or goods for hire or reward shall not on any day commence any flight from a place in the British Islands unless the aircraft and the prescribed instruments have previously been inspected and certified in accordance with the following provisions :—

- (a) The aircraft and the prescribed instruments shall have been inspected at least once on that day, or, in the case of a flight commencing not later than 8 o'clock in the morning, at some time between noon of the previous day, or the termination of the last flight made by the aircraft on the previous day, whichever is the later, and the commencement of the flight in question.
 - (b) Such inspection shall be carried out by a person or persons licensed under this Order and in accordance with directions issued by the Secretary of State, and certificates in the prescribed form as to the safety for flight of the aircraft and instruments shall have been signed in duplicate by such person or persons.
9. The pilot of every aircraft shall satisfy himself before commencing any flight that—
- (a) the aircraft is equipped with the prescribed instruments ;
 - (b) the aircraft and the instruments are fit in every way for the proposed flight ;
 - (c) the aircraft is so loaded as to comply with the conditions laid down in the certificate of airworthiness ;
 - (d) the view of the pilot for the purpose of navigating the aircraft is not interfered with by any obstruction not forming part of the structure of the aircraft ; and
 - (e) sufficient fuel oil and water are carried for the proposed flight ;
- and, in the case of an aircraft carrying passengers or goods for hire or reward, the pilot shall before commencing the flight sign in duplicate a certificate in the prescribed form which shall include such particulars as the Secretary of State shall direct.

10. One copy of each certificate signed under either of the two preceding paragraphs of this Schedule shall be retained by the owner of the aircraft until the aircraft is next inspected by the authorized representative of the Secretary of State referred to in paragraph 7 of this Schedule, and the duplicate copy shall be carried in the aircraft.

Licensing of Competent Persons.

11. Licences to competent persons for the purposes of this Schedule shall be granted by the Secretary of State on compliance with such conditions as he may direct.

Validation of Certificates issued Abroad.

12. When an aircraft is registered in the British Islands in respect of which a certificate of airworthiness has been granted by the duly competent authority in any other part of His Majesty's Dominions or in any foreign State, and such certificate is in force at or immediately prior to the time of the registration of the aircraft in the British Islands, the Secretary of State may, subject to such conditions and limitations and for such period as he shall think fit, confer on such certificate the same validity as if it had been granted under this Order.

Schedule III.

*Schedule III.**Log Books.**Log Books to be Kept.*

1.—(1) The following log books shall be kept in respect of British aircraft registered in the British Islands :—

- (a) for every aircraft a journey and signal log book ;
- (b) in addition, for every passenger or goods aircraft an aircraft log book and an engine log book, and, where more than one engine is fitted, a separate log book for each engine.
- (2) Every pilot licensed under this Order shall keep a pilot's log book.
- 2. The log book shall be in the prescribed form.
- 3. The log books shall be preserved for two years after the last entry therein.

Instructions for Use of Log Books.

4. (a) The constructor shall fill in and sign the original entries in the log books other than the pilot's log book so far as he is in a position to do so.

Subsequent entries shall be made and signed :—

(i) in the case of the journey and signal log book by the pilot unless there is a commander of the aircraft other than the pilot in which event the entries shall be made and signed by the commander ;

(ii) in the case of the aircraft and engine log books by a competent person licensed in accordance with the provisions of Schedule II to this Order :

Provided that as regards matters which could not have come to the notice of such competent person as aforesaid the pilot shall be responsible for making and signing the entries.

(b) All entries shall be in ink except in the case of the journey and signal log book, the entries for which may be made in pencil in a rough notebook, but shall be entered in ink in the log book every twenty-four hours. In the event of any official investigation the rough notebook may be called for.

*Schedule IV.**Schedule IV.*

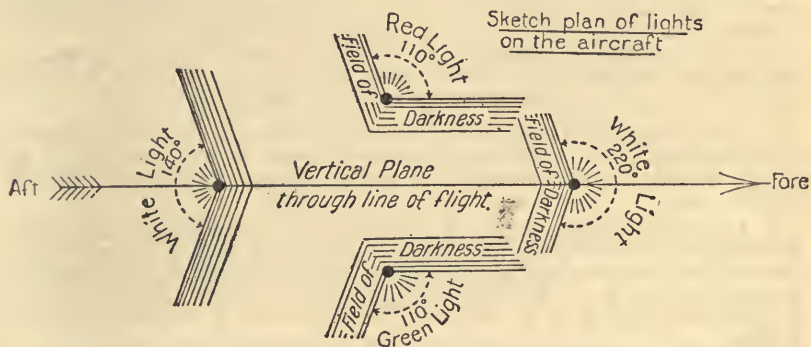
RULES AS TO LIGHTS AND SIGNALS AND RULES OF THE AIR.

Section I.

Rules as to Lights.

The word "visible" in these rules when applied to lights shall mean visible on a dark night with a clear atmosphere.

The angular limits laid down in these rules as shown in the sketch (attached) shall be determined when the aircraft is in its normal attitude for flying on a rectilinear horizontal course.



1. The rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited. The prescribed navigation lights shall not be dazzling.

2. A flying machine, when in the air or manoeuvring on land or water under its own power, shall carry the following lights :—

(a) Forward, a white light visible in a dihedral angle of 220 degrees bisected by a vertical plane through the line of flight, and of such a character as to be visible at a distance of at least 5 miles.

(b) On the right side, a green light so constructed and fixed as to show an unbroken light between two vertical planes whose dihedral angle is 110 degrees when measured to the right from dead ahead, and of such a character as to be visible at a distance of at least 3 miles.

(c) On the left side, a red light so constructed and fixed as to show an unbroken light between two vertical planes whose dihedral angle is 110 degrees when measured to the left from dead ahead, and of such a character as to be visible at a distance of at least 3 miles.

- (d) The said green and red lights shall be fitted so that the green light shall not be seen from the left side, nor the red light from the right side.
 - (e) At the rear, and as far aft as possible, a white light shining rearwards and visible in a dihedral angle of 140 degrees bisected by a vertical plane through the line of flight, and of such a character as to be visible at a distance of at least 3 miles.
 - (f) In the case where, in order to fulfil the above conditions, a single light has to be replaced by several lights, the field of visibility of each of these lights should be so limited that only one can be seen at a time.
3. The rules hereinbefore set out for the lighting of flying machines shall apply to airships subject to the following modifications:—
- (a) All lights shall be doubled, the forward and aft lights vertically, and the side lights horizontally in a fore and aft direction.
 - (b) Both lights of each pair forward and aft shall be visible at the same time. The distance between the lights comprising a pair shall not be less than 6 feet.
4. An airship, when being towed, shall carry the lights specified in paragraph 3, and, in addition, those specified in paragraph 6 of this Schedule for airships not under control.
- 5.—(a) A flying machine, or airship, when on the surface of the water, and when not under control, that is to say, not able to manœuvre as required by the Regulations for the Prevention of Collisions at Sea, shall carry two red lights not less than 6 feet apart one over the other, and of such a character as to be visible all round the horizon at a distance of at least 2 miles.
- (b) Aircraft to which this paragraph applies, when not making way through the water, shall not carry the side lights, but when making way shall carry them.
6. An airship which from any cause is not under control, or which has voluntarily stopped her engines shall, in addition to the other specified lights, display conspicuously two red lights, one over the other, not less than 6 feet apart, and constructed to show a light in all directions, and of such a character as to be visible at a distance of at least 2 miles.
- By day an airship, when being towed, and which from any cause is not under control, shall display conspicuously two black balls or shapes, each 2 feet in diameter, placed one over the other not less than 6 feet apart.
- An airship moored, or under way but having voluntarily stopped its engines, shall display conspicuously by day a black ball or shape, 2 feet in diameter, and shall be treated by other aircraft as being not under control.
7. A free balloon shall carry one bright white light below the car at a distance of not less than 16 feet, and so constructed as to show an unbroken light in all directions, and of such a character as to be visible at a distance of at least 2 miles.
8. A fixed balloon shall carry in the same position as the white light mentioned in paragraph 7 of this Schedule, and in lieu of that light, three lights in a vertical line one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible in all directions at a distance of at least 2 miles.
- In addition, the mooring cable shall have attached to it at intervals of 1,000 feet, measured from the basket, groups of three lights similar to those mentioned in the preceding paragraph. In addition, the object to which the balloon is moored on the ground shall have a similar group of lights to mark its position.
- By day the mooring cable shall carry in the same position as the groups of lights aforesaid, and in lieu thereof, tubular streamers not less than 8 inches in diameter and 6 feet in length, and marked with alternate bands of white and red, 18 inches in width.
9. An airship when moored near the ground shall carry the lights specified in paragraphs 2 (a) and (e) and 3 of this Schedule.
- In addition, if moored but not near the ground, the airship, the mooring cable, and the object to which moored, shall be marked in accordance with the provisions of paragraph 8 of this Schedule, whether by day or by night.
- Sea anchors or drogues used by airships for mooring purposes at sea are exempt from this regulation.
10. A flying machine stationary upon the land or water but not anchored or moored shall carry the lights specified in paragraph 2 of this Schedule.

11. In order to prevent collisions with surface craft :—

- (a) A flying machine when at anchor or moored on the water shall carry forward, where it can best be seen, a white light, so constructed as to show an unbroken light visible all round the horizon at a distance of at least 1 mile.
- (b) A flying machine of 150 feet or upwards in length, when at anchor or moored on the water, shall, in the forward part of the flying machine, carry one such light, and at or near the stern of the flying machine, and at a height that it shall not be less than 20 feet lower than the forward light, another such light.

The length of a flying machine shall be deemed to be the overall length.

- (c) Flying machines of 150 feet or upwards in span, when at anchor or moored on the water, shall in addition carry at each lower wing tip one light as specified in (a) of this paragraph.

The span of a flying machine shall be deemed to be the maximum lateral dimension.

12. In the event of the failure of any of the lights specified under these rules to be carried by aircraft flying at night, such aircraft shall land at the first reasonably safe opportunity.

13. Nothing in these rules shall interfere with the operation of any special rules made by any State with respect to the additional station or signal lights for two or more military aircraft, or for aircraft in formation, or with the exhibition of recognition signals adopted by owners of aircraft which have been authorized by their respective Governments and duly registered and published.

Section II.

Rules as to Signals.

14.—(a) An aircraft wishing to land at night on an aerodrome having a ground control shall before landing :—

Fire a green Very's light or flash a green lamp, and in addition shall make by international Morse code the letter-group forming its call-sign.

(b) Permission to land will be given by the repetition of the same call-sign from the ground, followed by :—

The firing of a green Very's light or flashing a green lamp.

15. The firing of a red Very's light or the display of a red flare from the ground shall be taken as an instruction that aircraft are not to land.

16. An aircraft compelled to land at night shall, before landing, fire a red Very's light or make a series of short flashes with the navigation lights.

17. When an aircraft is in distress and requires assistance, the following shall be the signals to be used or displayed, either together or separately :—

- (a) The international signal, S O S, by means of visual or wireless signals ;
- (b) The international code flag signal of distress, indicated by N C ;
- (c) The distant signal, consisting of a square flag having either above or below it a ball, or anything resembling a ball ;
- (d) A continuous sounding with any sound apparatus ;
- (e) A signal, consisting of a succession of white Very's lights fired at short intervals.

18. To warn an aircraft that it is in the vicinity of a prohibited zone and should change its course, the following signals shall be used :—

- (a) By day : three discharges, at intervals of 10 seconds, of a projectile showing, on bursting, white smoke, the location of the burst indicating the direction the aircraft should follow.
- (b) By night : three discharges, at intervals of 10 seconds, of a projectile showing, on bursting, white stars, the location of the burst indicating the direction the aircraft should follow.

19. To require an aircraft to land, the following signals shall be used :—

- (a) By day : three discharges, at intervals of 10 seconds, of a projectile showing on bursting black or yellow smoke.
- (b) By night : three discharges, at intervals of 10 seconds, of a projectile showing on bursting red stars or lights.

In addition, when necessary to prevent the landing of aircraft other than the one ordered, a searchlight which shall be flashed intermittently shall be directed towards the aircraft whose landing is required.

20.—(a) In the event of fog or mist rendering aerodromes invisible, their presence may be indicated by a balloon acting as an aerial buoy and/or other approved means.

(b) In fog, mist, falling snow or heavy rainstorm, whether by day or night, an aircraft on the water shall make the following sound signals with a sound apparatus :—

- (1) If not anchored or moored, a sound at intervals of not more than two minutes, consisting of two blasts of about five seconds' duration with an interval of about one second between them.
- (2) If at anchor or moored, the rapid ringing of an efficient bell or gong for about five seconds at intervals of not more than one minute.

Section III.

Rules of the Air.

21. Flying machines shall always give way to balloons, fixed or free, and to airships. Airships shall always give way to balloons, whether fixed or free.

22. An airship, when not under its own control, shall be classed as a free balloon.

23. Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing and angle of elevation of an approaching aircraft. If neither the bearing nor the angle of elevation appreciably change, such risk shall be deemed to exist.

24. The term "risk of collision" shall include risk of injury due to undue proximity of other aircraft. Every aircraft that is required by these rules to give way to another to avoid collision shall keep a safe distance, having regard to the circumstances of the case.

25. While observing the rules regarding risk of collision contained in paragraph 24 of this Schedule, a motor-driven aircraft must always manoeuvre according to the rules contained in the following paragraphs as soon as it is apparent that, if it pursued its course, it would pass at a distance of less than 200 yards from any part of another aircraft.

26. When two motor-driven aircraft are meeting end on, or nearly end on, each shall alter its course to the right.

27. When two motor-driven aircraft are on courses which cross, the aircraft which has the other on its own right side shall keep out of the way of the other.

28. An aircraft overtaking another shall keep out of the way of the overtaken aircraft by altering its own course to the right, and must not pass by diving.

Every aircraft coming up with another aircraft from any direction more than 110 degrees from ahead of the latter, i.e., in such a position with reference to the aircraft which it is overtaking that at night it would be unable to see either of that aircraft's side lights, shall be deemed to be an overtaking aircraft, and no subsequent alteration of the bearing between the two aircraft shall make the overtaking aircraft a crossing aircraft within the meaning of these rules, or relieve it of the duty of keeping clear of the overtaken aircraft until it is finally past and clear.

As by day the overtaking aircraft cannot always know with certainty whether it is forward or abaft the direction mentioned above from the other aircraft, it should, if in doubt, assume that it is an overtaking aircraft and keep out of the way.

29. Where by any of these rules one of the two aircraft is to keep out of the way, the other shall keep its course and speed. When, in consequence of thick weather or other causes, the aircraft having the right of way finds itself so close that collision cannot be avoided by the action of the giving-way aircraft alone, it shall take such action as will best aid to avert collision.

30. Every aircraft which is directed by these rules to keep out of the way of another aircraft shall, if the circumstances of the case admit, avoid crossing ahead of the other.

31. In following an officially recognized air route every aircraft, when it is safe and practicable, shall keep to the right side of such route.

32. All aircraft on land or sea about to ascend shall not attempt to take off until there is no risk of collision with alighting aircraft.

33. Every aircraft in a cloud, fog, mist, or other conditions of bad visibility shall proceed with caution, having careful regard to the existing circumstances and conditions.

34. In obeying and construing these rules, due regard shall be had to all dangers of navigation and collision and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger.

Section IV.

Ballast.

35. The dropping of ballast other than finesand or water from aircraft in the air is prohibited.

Section V.

Rules for Air Traffic on and in the vicinity of Aerodromes.

36. At every licensed aerodrome there shall be a flag hoisted in a prominent position which shall indicate that if an aircraft about to land or leave finds it necessary to make a circuit, or partial circuit, such circuit shall be left-handed (anti-clockwise) or right-handed (clockwise), according to the colour of the flag. A white flag shall indicate a right-handed circuit, i.e., that the flag is kept to the right side or side which carries the green light of the aircraft, and a red flag shall indicate a left-handed circuit, i.e., that the red flag is kept to the left side or side which carries the red light of the aircraft.

37. When an aeroplane starts from an aerodrome it shall not turn until 500 yards distant from the nearest point of the aerodrome, and the turning must then conform with the regulations provided in the preceding paragraph.

38. All aeroplanes flying between 500 and 1,000 yards distant from the nearest point of an aerodrome shall conform to the above-mentioned circuit law, unless such aeroplanes are flying at a greater height than 6,000 feet.

39. Acrobatic landings are prohibited at aerodromes of contracting States used for international air traffic. Aircraft are prohibited from engaging in aerial acrobatics within a distance of at least 2,000 yards from the nearest point of such aerodromes.

40. At every licensed aerodrome the direction of the wind shall be clearly indicated by one or more of the recognized methods, e.g., landing tee, conical streamer, smudge fire, &c.

41. Every aeroplane when taking off from or alighting on an aerodrome used for international air traffic shall do so up-wind, except when the natural conditions of the aerodrome do not permit.

42. In the case of aeroplanes approaching aerodromes for the purpose of landing, the aeroplane flying at the greater height shall be responsible for avoiding the aeroplane at the lower height, and shall as regards landing observe the rules of paragraph 28 of this Schedule for passing.

43. Aeroplanes showing signals of distress shall be given free way in attempting to make a landing on an aerodrome.

44. Every aerodrome shall be considered to consist of three zones when looking up-wind. The right-hand zone shall be the taking-off zone, and the left-hand shall be the landing zone. Between these there shall be a neutral zone. An aeroplane when landing should attempt to land as near as possible to the neutral zone, but in any case on the left of any aeroplanes which have already landed. After slowing up or coming to a stop at the end of its landing run, an aeroplane shall immediately taxi into the neutral zone. Similarly, an aeroplane when taking off shall keep as far as possible towards the right of the taking-off zone, but shall keep clear to the left of any aeroplanes which are taking off or about to take off.

45. No aeroplane shall commence to take off until the preceding aeroplane is clear of the aerodrome.

46. The above rules shall apply equally to night landings on aerodromes, when the signals shall be as follows :—

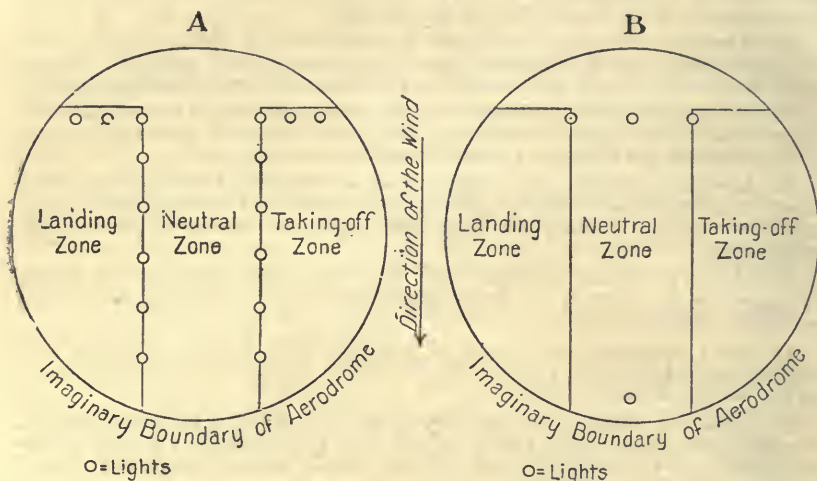
- (a) A red light shall indicate a left-hand circuit, and a green light shall indicate a right-hand circuit (see paragraph 36 of this Schedule). The right-hand zone shall be marked by white lights placed in the position of an "L," and the left-hand zone shall be similarly marked. The "L's" shall be back to back, so that the long sides of the "L's" indicate the borders of the neutral zone. The direction of landing shall invariably be along the long arm of the "L," and towards the short arm. The lights of the "L's" should be so placed that the lights indicating the top extremity of the long arm shall be the nearest point on the aerodrome upon which an aeroplane can safely touch ground. The lights indicating the short arm of the "L" should indicate the limit of safe landing ground for the aeroplanes, that is, that the aeroplane should not over-run the short arm (see Diagram A).

- (b) Where it is desired to save lights and personnel the following system may be used :—

Two lights shall be placed on the windward side of the aerodrome to mark the limits of the neutral zone mentioned in paragraph 44 of this Schedule, the line joining the lights being at right angles to the direction of the wind.

Two more lights shall be placed as follows : one on the leeward side of the aerodrome on the line drawn parallel to the direction of the wind and passing midway between the two lights on the windward side, to show the extent of the aerodrome and the direction of the wind, and the other shall be placed midway between the two lights marking the limits of the neutral zone (see Diagram B).

Additional lights may be placed symmetrically along the boundary lines of the neutral zone, and on the ends of the taking-off and landing zones on the line through the three lights on the windward side.



47. No fixed balloon, kite, or moored airship shall be elevated in the vicinity of any aerodrome without a special authorization, except in the cases provided for in paragraph 20 of this Schedule.

48. Suitable markings shall be placed on all fixed obstacles dangerous to flying within a zone of 500 yards of all aerodromes.

Section VI.

General.

49. Every aircraft manœuvring under its own power on the water shall conform to the Regulations for Preventing Collisions at Sea, and for the purposes of these regulations shall be deemed to be a steam-vessel, but shall carry the lights specified in the preceding rules, and not those specified for steam-vessels in the Regulations for Preventing Collisions at Sea, and shall not use, except as specified in paragraphs 17 and 20 of this Schedule, or be deemed to hear the sound signals specified in the above-mentioned Regulations.

50. Nothing in these rules shall exonerate any aircraft, or the owner, pilot or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper lookout, or of the neglect of any precaution which may be required by the ordinary practice of the air, or by the special circumstances of the case.

51. Nothing in these rules shall interfere with the operation of any special rule or rules approved by the Secretary of State and published relative to navigation of aircraft in the immediate vicinity of any aerodrome or other place, and it shall be obligatory on all owners, pilots, or crews of aircraft to obey such rules.

Schedule V.

Schedule V.

LICENSING OF PERSONNEL.

1. Every person acting as a commander, pilot, navigator, engineer, or other operative member of the crew of a British aircraft registered in the British Islands shall be the holder of a licence in respect of the capacity in which he is so acting, granted or rendered valid under the provisions of this Order.

Licensing Authority.

2. Licences shall be granted by the Secretary of State.

Pilots.

3. A person applying for a pilot's licence to fly aircraft other than passenger or goods aircraft must produce such proofs of competency as may be prescribed.

4. A person applying for a pilot's licence to fly passenger or goods aircraft will be required—

- (a) to produce such further proofs of competency as may be prescribed; and
- (b) to pass a medical examination carried out under the control of the Secretary of State; and
- (c) to submit proof of recent reasonable flying experience on the class of aircraft for which the licence is required, or failing such proof to undergo practical tests.

5. A person applying for a pilot's licence, who is qualified as a Royal Air Force pilot, shall be granted such exemptions from the requirements of the last two preceding paragraphs as the Secretary of State may direct.

Navigators.

6. A person applying for a licence to navigate passenger or goods aircraft will be required to—

- (a) pass a medical examination carried out under the control of the Secretary of State; and
- (b) produce such proofs of competency as may be prescribed.

Engineers.

7. A person applying for a licence as engineer in passenger or goods aircraft will be required to—

- (a) pass a medical examination carried out under the control of the Secretary of State; and
- (b) produce such proofs of competency as may be prescribed.

Other Persons.

8. Persons applying for a licence in any other capacity than those above specified must comply with such conditions as may be directed by the Secretary of State.

Validation of Foreign Licences.

9. When a licence has been granted by the duly competent authority in any foreign State and is for the time being in force, the Secretary of State may, subject to such conditions and limitations and for such period as he shall think fit, confer on such licence the same validity for the purpose of flying British aircraft registered in the British Islands as if it had been granted under this Order.

Validity of Licences issued in His Majesty's Dominions.

10. A licence granted by the duly competent authority of any place within His Majesty's Dominions to a pilot, navigator or engineer shall for the purposes of this Order have the same validity and effect as if it had been granted under this Order.

General.

11. Holders of licences may be required from time to time to undergo further medical examinations carried out under the control of the Secretary of State.

12. Licences shall remain valid for the following periods:—

Pilot's licences	..	..	..	..	6 months
Other licences	..	..	..	..	12 months

and shall not be valid unless endorsed at those intervals by the Secretary of State.

13. In this Schedule the expression "licence" includes a certificate of competency.

Schedule VI.

Schedule VI.

FEES.

A.—Registration.

1. The fees chargeable on the issue of a certificate of registration of an aircraft shall be £1 1s. 0d. and for the renewal of the certificate 5s.

B.—Airworthiness.

2. The following fees shall be charged on the issue of a certificate of airworthiness for a type aircraft :—

When the nominal horse-power does not exceed—	
200	£ 65
400	90
600	110
When the nominal horse-power exceeds—	
600	126

Where an application is made for a certificate of airworthiness for a type aircraft which so far resembles a type aircraft in respect of which a certificate of airworthiness has already been issued by the Secretary of State as materially to reduce the work involved in carrying out the investigations, calculations, tests, and inspections necessary for the issue of the certificate which is applied for, the fee chargeable shall be reduced by such an amount as is, in the opinion of the Secretary of State, proportionate to such reduction as aforesaid.

3. The fee chargeable on the issue of a certificate of airworthiness for a subsequent aircraft of a type in respect of which a type certificate has been issued, and the fee chargeable for the renewal of any certificate of airworthiness, shall be £5 5s. 0d.

4. The fee chargeable for the validation of a certificate of airworthiness issued abroad shall be such a fee as is in the opinion of the Secretary of State reasonable, but shall not exceed in any case the fee which would be chargeable under paragraph 2 of this Schedule for the issue of a certificate of airworthiness for an aircraft of the same nominal horse-power.

C.—Aerodromes.

5.—(a) The following fees shall be charged on the issue and renewal of a licence for an aerodrome :—

When the distance from the nearest Royal Air Force station is	Fee chargeable.	
	On issue of licence.	On renewal of licence.
Not more than 25 miles	£ s. d. 1 1 0	£ s. d. 1 1 0
More than 25 miles and not more than 50 miles ..	2 2 0	1 1 0
More than 50 miles	3 3 0	1 1 0

(b) The distance shall in each case be the distance measured in a straight line.

D.—Personnel.

6. The following fees shall be chargeable in respect of the issue and renewal of licences to personnel :—

(a) Where the application is for the issue of a licence.

Nature of Licence.	For Medical Examination.	For Technical Examination.	For Flying Test.	For Licence.
	£ s. d.	s. d.	£ s. d.	s. d.
Navigator	1 1 0	5 0	—	5 0
Engineer	1 1 0	5 0	—	5 0
Competent person under Schedule II.	—	5 0	—	5 0
Pilot	1 1 0	5 0	1 1 0	5 0

(b) Where the application is for the renewal of a licence.

Nature of Licence.	For Medical Examination.	For Technical Examination (if required).	For Flying Test (if required).	For Licence.
	s. d.	s. d.	£ s. d.	s. d.
Navigator	10 6	5 0	—	5 0
Engineer	10 6	5 0	—	5 0
Competent person under Schedule II.	—	5 0	—	5 0
Pilot	10 6	5 0	1 1 0	5 0

7. The fee chargeable for the validation of a licence granted by the duly competent authority in a foreign state to a navigator, engineer, or pilot shall be 5s.

E.—General.

8. A fee of 5s. shall be charged for the issue of a duplicate certificate or licence of any kind when the original is lost or destroyed.

9. An application for any certificate or licence or for the renewal of any certificate or licence shall be accompanied by a remittance to cover all the fees payable for the issue or renewal as the case may be, but when in any case the certificate or licence is not issued or renewed, the Secretary of State may refund to the applicant such proportion of the sum paid as represents any investigation, calculation, inspection, test or examination which has not been carried out as a result of the application.

Schedule VII.

PROHIBITED AREAS.

Schedule VII.

1. The places named in the following list, as described therein, shall be prohibited areas and are more particularly shown in a map issued for the purpose by the Secretary of State :—

Orkney Islands.—An area enclosed by straight lines joining the following points :—Tor Ness, Rora Head, Inga Ness, Mull Head, Old Head.

Firth of Forth.—An area enclosed by straight lines between the following places :—Hill House (one mile south of Dunfermline), Blackness Pier, Dalmeny Church, Inchmickery, Hallcraig Point.

Osea Island.—Three statute miles in all directions from the centre of Osea Island.

Sheerness.—Three statute miles from Garrison Point from 30° (true) to 190° (true) ; half a statute mile from Garrison Point from 190° (true) through West to 30° (true).

Chatham.—Three statute miles in all directions from Hoo Church.

Portsmouth.—Two statute miles from Dockyard Clock Tower from 180° (true) through West and North to 130° (true) ; one statute mile from Dockyard Clock Tower from 130° (true) to 180° (true).

Poole Harbour.—Three statute miles in all directions from Lytchett Minster Church.

Portland.—Two statute miles in all directions from Portland Castle.

Devonport.—Two statute miles in all directions from a point half a mile north of Stoke Church.

Pembroke.—Two statute miles in all directions from Wear Point.

Cork Harbour.—Two statute miles in all directions from Spike Island Fort.

2. Every aircraft which finds itself above a prohibited area in contravention of this Order shall, as soon as aware of the fact, give the signal of distress provided in paragraph 17 of Schedule IV, and land as soon as possible outside the prohibited area at one of the nearest aerodromes in the British Islands :

Provided that it shall not, unless compelled by stress of weather or other unavoidable cause, fly further into the prohibited area nor commence to descend while still above the prohibited area.

3. To warn an aircraft that it is in the vicinity of a prohibited area and should change its course, the signals prescribed in paragraph 18 of Schedule IV shall be used.

4. The signals which may be given when an aircraft flies, or attempts to fly, over a prohibited area in contravention of this Order shall be those prescribed in paragraph 19 of Schedule IV.

5. Upon the signals referred to in paragraph 4 of this Schedule being given, the aircraft shall immediately give the signal referred to in paragraph 2 of this Schedule, and land in accordance with that rule.

6. If any aircraft flies, or attempts to fly, over any prohibited area or enters the British Islands in contravention of this Order, and if, after the signals referred to in paragraph 4 of this Schedule have been given by, or by the direction of, a commissioned officer in His Majesty's Naval, Military, or Air Forces, the aircraft fails to respond thereto by complying with the procedure laid down in paragraph 5 of this Schedule, the officer may fire at or into such aircraft, and use any and every other means necessary to compel compliance, and every and any such officer and every other person acting in his aid and by his direction shall be and is hereby indemnified and discharged from any indictment, penalty, action, or other proceeding for so doing.

Schedule VIII.

Schedule VIII.

CUSTOMS RULES AS TO AIRCRAFT ARRIVING IN OR DEPARTING FROM THE UNITED KINGDOM.

Preliminary.

1. For purposes of this Schedule—

"Importer" has the same meaning as in the Customs Consolidation Act, 1876;

"Commissioners" means Commissioners of Customs and Excise ;

"Examination station" means a space at a Customs aerodrome approved by the Commissioners as an examination station ;

"Pilot" includes person in charge.

Other expressions have the same meaning as in the general provisions of this Order.

Customs Aerodromes.

2. The Secretary of State may, subject to the concurrence of the Commissioners and to such conditions as to security and otherwise as he thinks fit, by directions approve aerodromes as "Customs aerodromes" * for purposes of the Acts relating to Customs, and remove aerodromes from the list of Customs aerodromes.

Arrival at and Departure from Customs Aerodromes.

3. An aircraft entering the United Kingdom from abroad shall not land in the United Kingdom for the first time in any journey except at a Customs aerodrome :

Provided that this paragraph shall not apply where an aircraft is compelled to land before arriving at a Customs aerodrome, owing to accident, stress of weather, or unavoidable cause, in which event the procedure laid down in paragraph 21 of this Schedule shall be followed.

* By Air Navigation Directions of 11th July, 1922, numbered A.N.D. 4, the aerodromes at Croydon (Surrey) and Lympne (Kent) are approved as Customs aerodromes.

4. No aircraft shall fly to a place outside the United Kingdom unless its place of final departure is a Customs aerodrome.
5. (i) No person in any aircraft entering the United Kingdom shall carry or allow to be carried in the aircraft any goods the importation of which is prohibited by the laws relating to Customs ;
- (ii) No person in any aircraft entering the United Kingdom shall break or alter any seal placed upon any part of the aircraft or upon any goods therein by a Revenue officer at the aerodrome from which he departed for the United Kingdom.
6. An aircraft shall not enter or leave the United Kingdom, having any secret or disguised place adapted for concealing goods.

Arrival at Customs Aerodromes from Foreign.

7. The pilot of an aircraft arriving at a Customs aerodrome from a place outside the United Kingdom shall, on landing, forthwith take his aircraft to the examination station at that aerodrome :

Provided that a pilot shall not be deemed to have contravened or failed to comply with this rule if he proves that circumstances over which he had no control prevented him from taking his aircraft to the examination station, and that, after the report required by paragraph 8 of this Schedule had been duly made by him, all goods carried in the said aircraft were removed to the examination station in the presence of an officer of Customs and Excise.

8. Within twenty-four hours after the landing at any Customs aerodrome of an aircraft from a place outside the United Kingdom the pilot shall—

- (a) make a report to the proper officer of Customs and Excise in the form prescribed by the Commissioners ; and
- (b) truly furnish the several particulars required by such form ; and
- (c) deliver to such officer with such report his journey log book, manifest and declaration of the goods on board his aircraft signed by the proper Revenue officer at the aerodrome from which he departed for the United Kingdom ; and
- (d) land at such aerodrome for examination of baggage all passengers carried in such aircraft, and, after making such reports, shall produce, and, if required to do so, shall land, all goods in such aircraft for examination.

Arrival at Customs Aerodromes from Aerodromes in the United Kingdom.

9. If at any aerodrome or other place within the United Kingdom goods or passengers are loaded for conveyance by air to a Customs aerodrome, the pilot shall obtain from the proprietor of the aerodrome of departure a certificate of departure in the form prescribed by the Secretary of State and the Commissioners, and on arriving at the Customs aerodrome shall produce such certificate to the proper officer of Customs and Excise.

Departure for Foreign from Customs Aerodromes.

10. The pilot of every aircraft in which goods are to be exported shall, before any goods are taken on board, deliver to the proper officer of Customs and Excise a notice of departure for a foreign destination in the form prescribed by the Commissioners, in which shall be truly stated the particulars required by such form.

11.—(1) The pilot of every aircraft about to proceed direct to any place outside the United Kingdom shall deliver in duplicate, to the proper officer of Customs and Excise at a Customs aerodrome, together with the journey log book belonging to the aircraft, an application for clearance from that aerodrome in the form prescribed by the Commissioners, and also, if the aircraft carries any goods, a manifest and declaration in the form prescribed by the Commissioners declaring the goods and stores on such aircraft, and shall truly state therein the particulars required by such forms respectively ; and such forms, when signed by such officer, shall be the clearance and authority for the aircraft to proceed to its foreign destination.

(2) A pilot shall not depart in any such aircraft from the United Kingdom until he has obtained such authority, and, after obtaining such authority, shall not call at any other place in the United Kingdom before proceeding to its foreign destination. Any pilot intending to land at one or more Customs aerodromes before proceeding to his foreign destination shall apply for his clearance and authority at the last Customs aerodrome at which he lands.

Importation, Entry and Unloading of Goods.

12. A person importing goods in an aircraft shall not bring the goods into any place in the United Kingdom other than a Customs aerodrome, or unload the goods from any aircraft except at an examination station (unless such goods are unloaded in the presence of an officer of Customs and Excise under the provisions of paragraph 7 of this Schedule), and shall not unload the goods except between such hours as the Commissioners prescribe, or remove the goods from an examination station unless the goods have first been duly entered in manner provided by these rules and produced to the proper officer of Customs and Excise and duly cleared by him.

13. A person shall not remove from any aircraft any goods imported therein until the report required by paragraph 8 of this Schedule has been made, and the authority of the proper officer of Customs and Excise has been obtained.

14. The importer of any goods imported in aircraft shall deliver to the collector of Customs and Excise in whose district the aerodrome of importation is situated an entry of such goods in accordance with the provisions of the Acts relating to Customs, and shall truly furnish thereon the several particulars required by the form of entry, and shall pay to the proper collector of Customs and Excise all duties chargeable thereon at the times and in the manner prescribed by the said Acts:

Provided that no entry shall be required in respect of the baggage of passengers.

15. All goods imported into a Customs aerodrome in any aircraft shall be duly entered and unladen within seven days from the time of the arrival of such aircraft at the aerodrome or within such further period as the Commissioners may allow.

16. All goods imported in aircraft which have not been examined and cleared by the proper officer of Customs and Excise shall be stored in a transit shed at the Customs aerodrome, and no person shall remove such goods from the transit shed before examination and clearance by such officer.

Exportation of Goods.

17.—(1) The exporter of any goods intended for exportation in aircraft shall deliver to the proper officer of Customs and Excise at the Customs aerodrome from which such aircraft is cleared to its foreign destination, an entry in the form prescribed by the Commissioners, and shall truly state in such form the particulars thereby required; and such form when signed by the proper officer of Customs and Excise shall be the clearance and authority for the exportation of such goods.

(2) A person shall not export goods in such aircraft until such authority has been given by the proper officer of Customs and Excise.

18. A person shall not without the consent of the proper officer of Customs and Excise unload from any aircraft any goods loaded therein for exportation which have been cleared under paragraph 17 of this Schedule, or open, alter or break any lock, mark or seal placed by any officer of Customs and Excise on any goods in any aircraft about to depart from the United Kingdom.

General Provisions.

19. If any officer of Customs and Excise in the execution of his duty boards any aircraft in any place, the pilot thereof shall not convey him in the aircraft away from such place without his consent.

20. Dutiable goods shall not be removed in aircraft from the Isle of Man to Great Britain or Ireland except from a Customs aerodrome and with the consent of the proper officer of Customs and Excise.

21. If any aircraft arriving from a place outside the United Kingdom shall land in any place other than a Customs aerodrome, the pilot shall forthwith report to an officer of Customs and Excise or police constable, and shall on demand produce to such Officer or police constable the journey log book belonging to the aircraft, and shall not allow any goods to be unloaded therefrom without the consent of an officer of Customs and Excise, and no passenger thereof shall leave the immediate vicinity without the consent of an officer of Customs and Excise or police constable. If such place of landing shall be an aerodrome the pilot shall forthwith report the arrival of the aircraft and the place whence it came to the proprietor of the aerodrome, who shall forthwith report the arrival of the aircraft to an officer of Customs and Excise, and shall not allow any goods to be unloaded therefrom or any passenger thereof to leave the aerodrome without the consent of such officer.

22.—(1) The proprietor of any aerodrome shall at all times permit any officer of Customs and Excise to enter and inspect his aerodrome and all buildings and goods thereon.

(2) The pilot of any aircraft shall permit any officer of Customs and Excise at any time to board and inspect his aircraft, and any goods laden therein, and every such officer shall have the right of access at any time to any place to which access is necessary for the purpose of such inspection.

(3) The importer or exporter of any goods imported or exported in an aircraft shall produce such goods to the proper officer of Customs and Excise at the Customs aerodrome of importation or exportation, as the case may be, and permit him to inspect such goods.

23. The provisions of the Acts relating to Customs, other than those relating to coasting trade, shall, so far as they are applicable, and except as they are modified by this Schedule, apply to aircraft and to goods, mails and persons carried in or landed from them as they apply to ships and to goods, mails and persons carried in or landed from ships, except the following sections :—

Sections 14, 50, 52, 100, 101, 126 to 129, 134, 136, 175, 179, 181, and 282 of the Customs Consolidation Act, 1876. 39 & 40 Vict. c. 36.

Section 6 of the Customs and Inland Revenue Act, 1878. 41 & 42 Vict. c. 15.

Sections 5 and 6 of the Revenue Act, 1883. 46 & 47 Vict. c. 55.

Sections 2 (1) and 3 of the Revenue Act, 1884. 47 & 48 Vict. c. 62.

Sections 1 to 4 of the Customs Consolidation Act, 1876, Amendment Act, 1890. 53 & 54 Vict. c. 56.

Section 2 of the Revenue Act, 1898. 61 & 62 Vict. c. 46.

The Commissioners may modify the form of any document prescribed by the Acts relating to Customs, so as to make such form applicable to aircraft or to goods carried therein.

Schedule IX.

Schedule IX.

CUSTOMS PROVISIONS TO BE OBSERVED BY BRITISH AIRCRAFT REGISTERED IN THE BRITISH ISLANDS WHEN FLYING ABROAD.

Annex H.

CUSTOMS.

General Provisions.

1.

Any aircraft going abroad shall depart only from aerodromes specially designated by the Customs administration of each contracting State, and named "Customs aerodromes."

Aircraft coming from abroad shall land only in such aerodromes.

2.

Every aircraft which passes from one State into another is obliged to cross the frontier between certain points fixed by the contracting States. These points are shown on the aeronautical maps.

3.

All necessary information concerning Customs aerodromes within a State, including any alterations made to the list and any corresponding alterations necessary on the aeronautical maps and the dates when such alterations become

valid, and all other information concerning any international aerodromes which may be established, shall be communicated by the State concerned to the International Commission for Air Navigation, which shall notify such information to all of the contracting States. The contracting States may agree to establish international aerodromes at which there may be joint Customs services for two or more States.

4.

When, by reason of a case of *force majeure*, which must be duly justified, an aircraft crosses the frontier at any other point than those designated, it shall land at the nearest Customs aerodrome on its route. If it is forced to land before reaching this aerodrome it shall inform the nearest police or Customs authorities.

It will only be permitted to leave again with the authorization of these authorities, who shall, after verification, stamp the log book and the manifest provided for in paragraph 5: they shall inform the pilot of the Customs aerodrome where he must necessarily carry out the formalities of Customs clearance.

5.

Before departure, or immediately after arrival, according to whether they are going to or coming back from a foreign country, pilots shall show their log books to the authorities of the aerodrome and, if necessary, the manifest of the goods and supplies for the journey which they carry.

6.

The manifest is to be kept in conformity with the attached form No. 1.

The goods must be the subject of detailed declarations in conformity with the attached form No. 2, made out by the senders.

Every contracting State has the right to prescribe for the insertion either on the manifest or on the Customs declaration of such supplementary entries as it may deem necessary.

7.

In the case of an aircraft transporting goods the Customs officer, before departure, shall examine the manifest and declarations, make the prescribed verifications and sign the log book as well as the manifest. He shall verify his signature with a stamp. He shall seal the goods or sets of goods, for which such a formality is required.

On arrival the Customs officer shall insure that the seal is unbroken, shall pass the goods, shall sign the log book and keep the manifest.

In the case of an aircraft with no goods on board, the log book only shall be signed by the police and Customs officials.

The fuel on board shall not be liable to Customs duties provided the quantity thereof does not exceed that needed for the journey as defined in the log book.

8.

As an exception to the general regulations, certain classes of aircraft, particularly postal aircraft, aircraft belonging to aerial transport companies regularly constituted and authorized and those belonging to members of recognized touring societies not engaged in the public conveyance of persons or goods, may be freed from the obligation of landing at a Customs aerodrome and authorized to begin or end their journey at certain inland aerodromes appointed by the Customs and police administration of each State at which Customs formalities shall be complied with.

However, such aircraft shall follow the normal air route, and make their identity known by signals agreed upon as they fly across the frontier.

Regulations applicable to Aircraft and Goods.

9.

Aircraft landing in foreign countries are in principle liable to Customs duties if such exist.

If they are to be re-exported, they shall have the benefit of the regulations as to permit by bond or deposit of the taxes.

In the case of the formation, between two or more countries of the Union, of touring societies, the aircraft of the said countries will have the benefit of the regulations of the "Triptyque."

10.

Goods arriving by aircraft shall be considered as coming from the country where the log book and manifest have been signed by the Customs officer.

As regards their origin and the different Customs régimes, they are liable to the regulations of the same kind as are applicable to goods imported by land or sea.

11.

With regard to goods exported in discharge of a temporary receiving or bonded account or liable to inland taxes, the senders shall prove their right to send the goods abroad by producing a certificate from the Customs of the place of destination.

Air Transit.

12.

When an aircraft to reach its destination must fly over one or more contracting States, without prejudice to the right of sovereignty of each of the contracting States, two cases must be distinguished :—

1. If the aircraft neither sets down nor takes up passengers or goods, it is bound only to keep to the normal air route and make itself known by signals when passing over the points designated for such purpose.

2. In other cases, it shall be bound to land at a customs aerodrome and the name of such aerodrome shall be entered in the log book before departure. On landing, the customs authorities shall examine the papers and the cargo, and take, if need be, the necessary steps to insure the re-exportation of the craft and goods or the payment of the dues.

The provisions of paragraph 9 (2) are applicable to goods to be re-exported.

If the aircraft sets down or takes up goods, the Customs officer shall verify the fact on the manifest, duly completed, and shall affix, if necessary, a new seal.

Various Provisions.

13.

Every aircraft during flight, wherever it may be, must conform to the orders from police or Customs stations and police or Customs aircraft of the State over which it is flying.

14.

Customs officers and Excise officials, and generally speaking the representatives of the public authorities shall have free access to all starting and landing places for aircraft; they may also search any aircraft and its cargo to exercise their rights of supervision.

15.

Except in the case of postal aircraft, all unloading or throwing out in the course of flight, except of ballast, may be prohibited.

16.

In addition to any penalties which may be imposed by local law for infringement of the preceding regulations, such infringement shall be reported to the State in which the aircraft is registered, and that State shall suspend for a limited time, or permanently, the certificate of registration of the offending aircraft.

17.

The provisions of this Annex do not apply to military aircraft visiting a State by special authorization (Articles 30, 31, and 32 of the Convention), nor to police and Customs aircraft (Articles 30 and 33 of the Convention).

Note.—The manifest should not bear on it erasures or corrections except those approved by the proper Customs officials, nor contain interlineations or several articles entered on the same line. As many extra sheets may be added as are necessary.

AIR NAVIGATION.

MANIFEST
OR GENERAL DECLARATION OF CARGO.

Space reserved for entries by Customs Officers.	Machine	{	Registration Mark.	
			
	Commanding Officer.	{	Name :	
			Residence :	
			Nationality :	
			Number of Licence :	
	Goods	{	Place of departure :	Country :
			Place of destination :	Country :
Number of annexed declarations :				
			

The Commanding Officer guarantees the accuracy of the contents of this manifest under penalties provided by law. Consequently he has dated and signed this document immediately below the last entry.

File Number of Document.	Marks and Numbers on the Parcels.	Number (in Figures and Letters) and Descriptions of Parcels.	Nature of the Goods.	Weight.	Observations.

THE AIR NAVIGATION (INVESTIGATION OF ACCIDENTS) REGULATIONS, 1922, DATED 28TH JUNE, 1922, MADE BY THE SECRETARY OF STATE FOR AIR, FOR THE INVESTIGATION OF ACCIDENTS, PURSUANT TO SECTION 12 OF THE AIR NAVIGATION ACT, 1920 (10 & 11 GEO. 5, c. 80).

S.R. & O., 1922, No. 650.

In pursuance of the powers conferred upon me by the Air Navigation Act, 1920, and all other powers enabling me in that behalf, I the Right Honourable Frederick Edward Guest, one of His Majesty's Principal Secretaries of State make the following Regulations.

Application of Regulations.

1. These regulations shall apply to accidents arising out of or in the course of air navigation which occur in or over the British Islands, or which occur elsewhere to British aircraft registered in the British Islands.

Notification of Accidents.

2.—(1) Where an accident to which these regulations apply occurs, and involves death or personal injury to any person, whether carried in the aircraft or not, or such serious structural damage to the aircraft as is hereinafter mentioned, or is believed on reasonable grounds to have been caused or contributed to by the failure in the air of any part of the aircraft, the pilot, or, if the pilot is incapacitated by injury, the owner or hirer of the aircraft—

(i) if the accident occurs in or over the British Islands shall—

(a) send notice thereof by telegram to the Air Ministry, and

(b) notify the local police; and

(ii) if the accident has occurred elsewhere than in or over the British Islands, shall send notice thereof in writing to the Air Ministry:

Provided that in the case of an aircraft which is engaged on hire at the time of the accident, the owner thereof shall, as between himself and the hirer and in the absence of any agreement to the contrary, be responsible for compliance with this regulation.

(2) The notice shall be sent as soon as possible, and, if the accident occurs in or over the British Islands, within twenty-four hours after the occurrence of the accident unless the person whose duty it is to send it proves that it was not possible to send it within that time, and in any case shall state:—

(i) the nationality and the registration marks of the aircraft;

(ii) the name of the owner and hirer (if any) of the aircraft:

(iii) the name of the pilot of the aircraft:

(iv) the place where the accident took place:

(v) the date and time when the accident took place:

(vi) the nature of the accident: and

(vii) whether death or personal injury was caused by the accident, and if so, to whom.

(3) In this regulation the expression "serious structural damage" in relation to an aircraft means—

(i) the telescoping or breaking apart of the fuselage; or

(ii) the breaking of a main spar; or

(iii) the breaking of any part of the controls; or

(iv) damage by fire to any part of the aircraft.

3. Where an accident to which these regulations apply occurs in or over the British Islands, and involves any such serious structural damage to the aircraft as aforesaid—

(a) The aircraft shall not, except under the authority of the Secretary of State, be removed or otherwise interfered with, until the expiration of three days after notice of the accident has been given in accordance with these

regulations, and in any particular case in which the Secretary of State so directs it shall not be removed or otherwise interfered with until the expiration of such longer period as may be so directed :

Provided that—

- (i) the aircraft or any parts thereof may be removed or interfered with so far as may be necessary for the purpose of extricating persons or animals involved, removing any mails carried by the aircraft, preventing destruction by fire or other cause, or preventing any danger or obstruction to the public ; and
- (ii) goods or passengers' baggage may be removed from the aircraft under the supervision of an officer of police, but, in the case of an aircraft which has come from a place outside the United Kingdom, shall not be removed from the vicinity of the aircraft except on clearance by or with the consent of an officer of Customs and Excise ;
- (b) The Secretary of State may authorize any person, so far as may be necessary for the purposes of any investigation under these regulations, to take measures for the preservation of the aircraft and to have access to, examine, remove, or otherwise deal with the aircraft :

Provided that if an aircraft is wrecked on the water, the aircraft or any parts or contents thereof may be removed to such extent as may be necessary for bringing it or them to a place of safety.

Preliminary Investigation.

4.—(1) Where an accident to which these regulations apply occurs, a person generally or specially appointed by the Secretary of State for the purpose (in these regulations referred to as an Inspector of Accidents), may, whether or not such accident is one notice whereof is required to be given under these regulations, hold a preliminary investigation of such accident.

(2) An investigation under this regulation shall be conducted in such manner that if a charge is made or is likely to be made against any person, that person shall have an opportunity of being present and of making any statement, or giving any evidence, and producing witnesses on his behalf.

5. For the purpose of his preliminary investigation an Inspector of Accidents shall have power :—

- (a) by summons under his hand to require the attendance of any person who is the owner, hirer, or one of the owners or hirers, of any aircraft concerned in the accident, or is in the employment of such owner or hirer, and whom he thinks fit to call before him and examine, and to require answers or returns to such inquiries as he thinks fit to make from any such person ;
- (b) to require any such person to make and sign a declaration of the truth of the statements made by him in his examination ;
- (c) to require the production of all books, papers and documents of any owner or hirer of any aircraft concerned in the accident which he considers material ;
- (d) to have access to and examine any aircraft concerned in the accident, and the place where the accident occurred.

6.—(1) Upon concluding his preliminary investigation the Inspector of Accidents shall make a report thereon to the Secretary of State, who may cause the whole or any part of such report to be made public in such manner as he thinks fit.

(2) A report under this regulation may include a recommendation for the cancellation, suspension or endorsement of any licence or certificate.

Formal Investigation.

7. Where it appears to the Secretary of State that it is expedient to hold a formal investigation of an accident to which these regulations apply, he may, whether or not a preliminary investigation has taken place, by order direct a formal investigation to be held ; and with respect to any such formal investigation the following provisions shall have effect :—

- (1) The Secretary of State shall appoint a competent person, in these regulations referred to as " the Court," to hold the investigation, and may appoint one or more persons possessing legal, aeronautical, engineering, or other

special knowledge to act as assessors, and may direct that the Court and the assessors shall receive such remuneration as the Secretary of State, with the approval of the Treasury, may determine ;

- (2) The Court shall hold the investigation in open court in such manner and under such conditions as the Court may think most effectual for ascertaining the causes and circumstances of the accident and enabling the Court to make the report hereinafter mentioned ;
- (3) (i) The Court shall have for the purpose of the investigation all the powers of a court of summary jurisdiction when acting as a court in the exercise of its ordinary jurisdiction, and all the powers of an inspector under the Railway Regulation Acts, 1840 to 1889, and without prejudice to those powers the Court may
 - (a) enter and inspect, or authorize any person to enter and inspect, any place or building the entry or inspection whereof appears to the Court requisite for the purposes of the investigation ;
 - (b) by summons, require the attendance as witnesses of all such persons as the Court thinks fit to call and examine, and require such persons to answer any question or furnish any information or produce any books, papers, and documents which the Court may consider relevant ;
 - (c) administer an oath to any such witness, or require any witness to make and sign a declaration of the truth of the statements made by him in his examination :
- (ii) The assessors shall have the same powers of entry and inspection as the Court ;
- (4) When a preliminary investigation has been held, the Inspector of Accidents on whose report the formal investigation was directed to be held shall superintend the management of the case on behalf of the Secretary of State, and shall render to the Court such assistance as is in his power ;
- (5) The investigation shall be conducted in such manner that, if a charge is made or likely to be made against any person, that person shall have an opportunity of being present and of making any statement or giving any evidence and producing witnesses on his behalf ;
- (6) Every person attending as a witness before the Court shall be allowed such expenses as would be allowed to a witness attending before a Court of Record, and in case of dispute as to the amount to be allowed, the same shall be referred by the Court to a Master of the Supreme Court, who on request signed by the Court shall ascertain and certify the proper amount of the expenses : Provided that, in the case of the owner or hirer of any aircraft concerned in the accident and of any person in his employment, any such expenses may be disallowed if the Court, in its discretion, so directs ;
- (7) The Court shall make a report to the Secretary of State stating its findings as to the causes of the accident and the circumstances thereof, and adding any observations and recommendations which the Court thinks fit to make with a view to the preservation of life and the avoidance of similar accidents in future, including a recommendation for the cancellation, suspension or endorsement of any licence or certificate ;
- (8) The assessors (if any) shall either sign the report with or without reservations or state in writing their dissent therefrom and their reasons for such dissent, and such reservations or dissent and reasons (if any) shall be forwarded to the Secretary of State with the report. The Secretary of State may cause any such report and reservations or dissent and reasons (if any) to be made public, wholly or in part, in such a manner as he thinks fit ;
- (9) The Court may order any costs and expenses incurred in and about the investigation (including any remuneration payable to any person appointed to hold the investigation or to act as assessor) to be paid by any person summoned before it, if it finds that the accident was due to the act or default or negligence of that person ; and any such order shall, on the application of any person entitled to the benefit thereof, be enforced by a court of summary jurisdiction as if the costs and expenses were a penalty imposed by the Court ; but subject to any such order such costs and expenses shall be deemed to be part of the expenses of the Secretary of State in the exercise of his powers under the Act.

General.

8.—(1) A person shall not obstruct or impede the Court or an Inspector of Accidents or an Assessor or any person acting under the authority of the Secretary of State in the exercise of any powers or duties under these regulations.

(2) A person shall not without reasonable excuse (proof whereof shall lie on him) fail, after having had the expenses (if any) to which he is entitled tendered to him, to comply with any summons or requisition of a Court or an Inspector of Accidents holding an investigation under these regulations.

9. If any person contravenes or fails to comply with these regulations or any provision thereof he is liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for a term not exceeding three months.

10.—(1) In these regulations, unless the context otherwise requires—

“The Act” means the Air Navigation Act, 1920, and includes any order or regulation made under the Act;

“Secretary of State” includes, in relation to any purpose of these regulations, other than the appointment of an Inspector of Accidents, any person authorized by the Secretary of State for that purpose;

References to the British Islands include references to the territorial waters adjacent thereto.

(2) The Interpretation Act, 1889 (52 & 53 Vict. c. 63), shall apply for the purpose of the interpretation of these regulations as it applies for the purpose of the interpretation of an Act of Parliament, and as if these regulations were an Act of Parliament.

11.—(1) Nothing in these regulations shall limit the powers of any authority under sections 530 to 537 inclusive of the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60), or any enactment amending those sections.

(2) Nothing in these regulations shall limit the power of the Secretary of State under the Act, or any Order made thereunder, of cancelling, suspending or endorsing any licence or certificate.

12. In the application of these regulations to Scotland :—

(a) “Court of Summary Jurisdiction” shall mean the sheriff and “Master of the Supreme Court” shall mean auditor of the sheriff court, and a reference to a witness attending before a Court of Record shall be construed as a reference to a witness attending an inquiry under the Fatal Accidents Inquiry (Scotland) Act, 1895 (58 & 59 Vict. c. 36);

(b) Any order under paragraph (9) of Regulations 7 may be enforced in like manner as if the same were a decree of the sheriff’s small debt court, and for that purpose a copy of the order certified by the Court shall be equivalent to an extract of such decree.

13.—(1) In these regulations the expressions “British Islands” and “United Kingdom” shall not include any part of Ireland other than Northern Ireland.

(2) In the application of these regulations to Northern Ireland the expression “Master of the Supreme Court” shall mean a Taxing Master of the Supreme Court of Judicature of Northern Ireland;

14. These regulations may be cited as the Air Navigation (Investigation of Accidents) Regulations, 1922, and shall come into operation on the twelfth day of July, 1922.

Air Ministry,
London, W.C.2.

28th June, 1922.

ADDENDA.

The following pages, 464–474, contain Regulations received too late for insertion in their appropriate place.

LONDON COUNTY COUNCIL.**BYE-LAWS AS TO LAMPS MARKING ROAD OBSTRUCTIONS.**

See p. 83.

Lighting of
road
obstructions.

(1) Where any work is being carried out, or any road material or erection (whether movable or not) is placed, in or on any part of a street or highway which makes the use of such part dangerous for traffic, that part of the street or highway shall, during the period between one hour after sunset and one hour before sunrise, be kept continuously lighted by one or more lamps showing a red light which shall be placed in such manner and positions as to indicate sufficiently to foot passengers and drivers of vehicles approaching from any direction the extent and position of such work, road material or erection.

(2) No lamp exhibiting a light other than a red light shall be used for the purpose mentioned in the foregoing bye-law.

(3) In the event of any breach of the foregoing bye-laws, the person by whose order or under whose direction the work is being carried on or the erection or road material was placed shall, except where some other person is liable under the provision following be guilty of an offence and liable on conviction to a penalty not exceeding five pounds.

Any person who has the charge of a lamp or lamps provided in pursuance of the foregoing bye-laws and who fails to keep the lamp or lamps properly lighted during the said period shall be guilty of an offence and liable on conviction to a penalty not exceeding five pounds.

(4) Nothing in the foregoing bye-laws shall be deemed to prevent the use, in addition to the lamps provided in pursuance of the bye-laws, of lamps showing a white light so far as necessary to enable work to be carried on during the night.

Certified 18th November, 1921.

BYE-LAWS identical with foregoing L.C.C. Bye-laws as to Lighting Road Obstructions have been made by:—

	Bye-laws Sealed
Borough of Acton	13th June, 1922
County Borough of Croydon	12th May, 1922
Borough of Bromley	12th May, 1922
Borough of Ealing	12th April, 1922
Borough of Kingston-on-Thames	12th April, 1922
Borough of Richmond	14th March, 1922
Borough of Wimbledon	3rd May, 1922
County Council of Hertford	19th July, 1922
County Council of Middlesex	22nd June, 1922
County Council of Essex	4th July, 1922
County Council of Surrey	25th July, 1922

COUNTY OF ESSEX.**BYE-LAWS.***Extent of Bye-laws.*

These bye-laws shall extend and apply to all parts of the Administrative County of Essex, with the exception of any Municipal Borough.

Public Vehicles.

See p. 83.

1. No excursionist or other person travelling in or on any public coach or other public carriage for the conveyance of passengers, or any coach, brake, waggonette, or any other vehicle hired or used for the conveyance of pleasure parties and the

like (a) shall blow any horn or use any other noisy instrument, or make or combine with any other person or persons to make any loud singing or outcry while passing through any town, village or hamlet, to the annoyance or interruption of residents, or (b) shall, while passing through any town, village or hamlet, throw any money to be scrambled for by children or other persons on the road or footway.

Blowing
horn.Throwing
money.

Every person who shall offend against any of the provisions of this bye-law shall be liable on summary conviction to a penalty not exceeding five pounds for each offence; and the conductor (if any) employed on the vehicle, and the person who had engaged or obtained the use of the vehicle on the occasion on which the offence was committed, shall also be liable to the like penalty unless he proves that he took no part in and was unable to prevent the offence and that he had given all the information in his power as to the person or persons by whom the offence was committed.

The owner of the vehicle shall, if required, give any information which it is within his power to give with respect to the name and address of the person who had engaged or obtained the use of the vehicle on the occasion on which the offence was committed, and if the owner fails to do so he shall be liable on summary conviction to a penalty not exceeding five pounds.

Nothing in this bye-law shall prevent the use of a horn in a reasonable manner by one person on a coach or similar vehicle.

Sealed 27th March, 1922.

POLICE ORDER CONTROLLING TRAFFIC.

LORD'S CRICKET GROUND.

Insert on
p. 86 of
Appendix.

All vehicles setting down passengers at the various gates will draw off, and, if required to wait, will rank up in Grove End Road on either side, the front of the vehicles facing South. The ranks will extend on both sides of Grove End Road as far as Circus Road, thence on the South side of Circus Road as far as Cavendish Road, then along each side of Cavendish Road, where the front of the vehicles will face North.

Vehicles at
Lord's
Cricket
Ground.

When the above roads have their complement of vehicles a rank will be formed in Grove Road on the West side, the front of the vehicles facing North. It will extend along the West side of Grove Road as far as the Canal Bridge. It will then continue along the other or East side of Grove Road, the front of the vehicles facing South as far as Lodge Place, where vehicles will rank on the South side as far as Oak Tree Road, the front of the vehicles facing West, and extend on the North side of Lodge Place as far as Grove Road, the front of the vehicles facing East. Thence it will extend on the East side of Grove Road as far as St. John's Wood Road, the front of the vehicles facing South.

Hackney Carriages.

All hackney carriages plying for hire will rank on the North side of St. John's Wood Road. The first vehicle on the rank will be at the North-west corner of St. John's Wood Road and Grove End Road, the front of the vehicle facing East; the rank will extend as far as Hamilton Terrace, where the vehicles will rank two abreast in the centre of the roadway facing South. They will be called off the rank as required.

All vehicles, including cabs, will pick up at St. John's Wood Road, facing East.

No vehicle will be allowed to stand in Wellington Road or Park Road.

No vehicle will be allowed to stand in St. John's Wood Road between Grove End Road and Wellington Road between the hours of 10 o'clock in the forenoon and 7 o'clock in the afternoon on the occasion of any important cricket match, except for the purpose of picking up or setting down passengers.

Metropolitan Police Office,
6th May, 1922.

The Road Vehicles (Part Year Licensing) Order, 1921, UNDER SECTION 22 OF THE FINANCE ACT, 1921 (SEE P. 204), DATED 5TH DECEMBER, 1921, MADE BY THE MINISTER OF TRANSPORT.

No. 1843 of 1921.

2. In this Order :

Part year
licensing of
motors, &c.

The expression "quarterly period" means any of the periods from the first day of January to the twenty-fourth day of March, from the twenty-fifth day of March to the thirtieth day of June, from the first day of July to the thirtieth day of September, or from the first day of October to the thirty-first day of December in any year.

Insert on
p. 236.

The expression "cycles" means the vehicles chargeable with duty under paragraph 1 of the Second Schedule to the Finance Act, 1920.*

The expression "licences" does not include general licences for manufacturers of or dealers in mechanically-propelled vehicles.

3. The mechanically-propelled vehicles to which this Order applies are mechanically-propelled vehicles chargeable with duty under the Finance Act, 1920, other than trams and vehicles on which a duty of five shillings is chargeable under that Act.

4. The periods of the year for which licences under the Finance Act, 1920, in respect of mechanically-propelled vehicles to which this Order applies may be taken out shall be either the period of one calendar year, or any of such periods less than a year as are hereinafter specified and the duties payable in respect of licences for periods less than a year shall be at the rates hereinafter specified ; that is to say :—

(a) In the case of such mechanically-propelled vehicles other than cycles—

- (i) A licence may be taken out for any period less than a year expiring on the thirty-first day of December in any year and if the same is taken out on or after any of the dates mentioned in the first column of the First Schedule hereto the duty payable on such licence shall be the proportion of the full annual rate of duty specified in relation to each of such dates respectively in the second column of the said Schedule ;
- (ii) A licence may be taken out for any quarterly period on payment of three-tenths of the full annual duty ; and
- (iii) A licence may be taken out for any period less than a quarterly period expiring on the last day of any quarterly period, and the duty payable on such licence shall if the licence is taken out on or after the first day of the second month of the quarterly period be two-thirds of the full quarterly rate of duty or shall if the licence is taken out on or after the first day of the third month of the quarterly period be one-third of the full quarterly rate of duty : provided that for the purposes of the foregoing provision in respect of any quarterly period ending on the thirtieth day of June, the first day of the second month shall be deemed to be the first day of May, and the first day of the third month shall be deemed to be the first day of June ;

(b) In the case of cycles a licence may be taken out for any quarterly period on payment of duty of the amounts specified in the second column of the Second Schedule hereto in relation to the cycles described in the first column of the said Schedule respectively.

5.—(1) For the purposes of Section 6 of the Government of Ireland Act, 1920,† this Order shall as regards Southern Ireland be deemed to have been made prior to the appointed day.

(2) This Order does not extend to Northern Ireland.

6. This Order shall remain in force until rescinded or modified by the Minister of Transport.

* 10 & 11 Geo. 5, c. 18.

† 10 & 11 Geo. 5, c. 67.

First Schedule.

IN RESPECT OF MECHANICALLY-PROPELLED VEHICLES TO WHICH THE FOREGOING ORDER APPLIES OTHER THAN CYCLES.

Dates on and after which licences may be taken out at reduced rates of duty.	Proportion of full annual duty payable.
1st March.	Nine-tenths.
1st April.	Eight-tenths.
1st May.	Seven-tenths.
1st June.	Six-tenths.
1st July.	Five-tenths.
1st August.	Five-tenths.
1st September.	Four-tenths.

Second Schedule.

IN RESPECT OF CYCLES.

Description of cycle.	Amount of duty payable for quarterly licence.
Bicycle, weight unladen not exceeding 200 lbs.	ten shillings.
Bicycle, weight unladen not exceeding 200 lbs. with right to draw trailer or sidecar.	fifteen shillings.
Bicycle, weight unladen exceeding 200 lbs. but not exceeding 8 cwt.	one pound.
Bicycle, weight unladen exceeding 200 lbs. but not exceeding 8 cwt. with right to draw trailer or sidecar	one pound five shillings.
Tricycle, not exceeding 8 cwt. in weight unladen	one pound five shillings.

Given under the Seal of the Minister of Transport, this fifth day of December, One thousand nine hundred and twenty-one.

LONDON UNITED TRAMWAYS AND LIGHT RAILWAYS.

S.R. & O., 1922, No. 531.

REGULATIONS AND BYE-LAWS, DATED 23RD MAY, 1922, MADE BY THE MINISTER OF TRANSPORT AS REGARDS ELECTRICAL POWER ON THE LONDON UNITED TRAMWAYS AND LIGHT RAILWAYS.

The Minister of Transport, under and by virtue of the powers conferred upon him in this behalf, does hereby make the following regulations for securing to the public reasonable protection against danger in the exercise of the powers conferred with respect to the use of electrical power on all or any of the lines on which the use of mechanical power has been authorized by the London United Tramways Act, 1898,* London United Tramways Act, 1899,† London United Tramways Act, 1900,‡ London United Tramways Act, 1901,§ London United Tramways Act, 1902,|| and the London United Tramways, Limited (Light Railway Extensions) Order, 1898 (hereinafter called "the lines");

Insert on p. 382.

And the Minister of Transport does also hereby make the following bye-laws with regard to the use of electrical power on all or any of such lines.

The Orders of the Board of Trade in this behalf, dated the 7th day of December, 1906,¶ the 18th day of October, 1907,** and the 16th day of November, 1908,‡‡ are hereby rescinded.

* 61 & 62 Vict. c. cclvi. † 62 & 63 Vict. c. exciv. ‡ 63 & 64 Vict. c. cclxxi.

§ 1 Edw. 7, c. cclx. || 2 Edw. 7, c. ccxlvii. ¶ S.R. & O., 1906, No. 907.

** S.R. & O., 1907, No. 820.

‡‡ S.R. & O., 1908, No. 1040.

Require-
ments of
carriages.

Regulations.

I. Every motor carriage used on the lines shall comply with the following requirements, that is to say :—

- (a) It shall be fitted, if and when required by the Minister of Transport, with an apparatus to indicate to the driver the speed at which it is running.
- (b) Its wheels shall be equipped with brake blocks, which can be applied by a screw or by other means, and there shall be in addition an adequate electric brake.
- (c) It shall be conspicuously numbered inside and outside.
- (d) It shall be fitted with a suitable lifeguard, and with a special bell to be sounded as a warning when necessary.
- (e) It shall be so constructed as to enable the driver to command the fullest possible view of the road.

II. No trailer carriage shall be used on the lines without the consent of the Minister of Transport except—

- (a) in the case of the removal of a disabled carriage,
- (b) for the conveyance of salt, sand and other materials or stores for the purposes of the tramway undertaking.

When trailer carriages are used for the conveyance of salt, &c., under (b) the following requirements shall be complied with :—

- (1) More than one trailer carriage shall not be attached to any motor carriage.
- (2) No passengers shall be carried in any motor carriage to which a trailer carriage is attached.
- (3) The trailer carriage shall be fitted with efficient brakes and there shall be a man on the trailer carriage to attend to the brakes.

When trailer carriages are used, with the consent of the Minister of Transport, for the conveyance of passengers the following requirements shall be complied with :—

- (a) The wheels of the trailer carriages shall be equipped with brake blocks, which can be applied by a screw or by other means.
- (b) The carriages shall be conspicuously numbered inside and outside.
- (c) Not more than two carriages shall be coupled together. Where two are so running there shall be, in all cases where the brakes on the second carriage are not controlled from the first carriage or through the draw-gear, a man on the front platform of the second carriage, in addition to the conductor, whose sole duty it shall be to attend to the brakes, means being provided by which the driver can signal to this man when he wishes the brakes on the rear carriage to be applied.

III. Every carriage used on the lines for the conveyance of passengers shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage.

No passenger shall be allowed to travel standing on the platforms, staircases or upper deck of a carriage.

Lamps.

IV. Every carriage on the lines, or where two carriages are coupled together the front carriage, shall, during the period between one hour after sunset and one hour before sunrise or during fog, carry a lamp so constructed and placed as to exhibit a white light visible within a reasonable distance to the front, and every carriage, or where two carriages are coupled together the rear carriage, shall carry a lamp so constructed and placed as to exhibit a red light visible within a reasonable distance to the rear.

The carriages on the Southall to Uxbridge section of the lines shall also carry oil lamps for use as front and rear lamps in case of failure of the electric current.

Speed.

V. The speed at which the carriages shall be driven or propelled along the lines shall not exceed the rate of *sixteen* miles an hour, or such lower rate of speed as is specified below.

The speed shall not exceed the rate of—

Twelve Miles an Hour.

(a) In Uxbridge Road—

- (i) between the " Prince of Wales " public house and the terminus at Uxbridge ;
- (ii) between East Hayes Post Office, Angel Lane, and pole 434, Westgate Villas.

(b) In High Street, Acton, and Acton Vale, between Gunnersbury Lane and Mansell Road.

- (c) In King Street, Hammersmith, between the Broadway and Studland Speed. Street.
- (d) In Glenthorne Road, Hammersmith.
- (e) In Studland Street, Hammersmith.
- (f) In Boston Road—
 - (i) between Broadway, Hanwell and Elthorne Park Road ;
 - (ii) between Boston Park Road and Brentford High Street.
- (g) In High Street, Brentford, and London Road, between the " Salutation " Inn and the " Angel " Inn.
- (h) In Staines Road, between Bath Road and Barrack Road.
- (i) In Richmond Road, Twickenham—
 - (i) between Beaufort Road and Montpelier Road,
 - (ii) between Orleans Lodge Gate and Sion Road.
- (j) In London Road, Isleworth, between Worton Lane and Ivy Bridge.
- (k) In Stanley Road, Ferry Road, High Street, Teddington, Bridge Parade and Broad Street, between the Stanley Road junction in Hampton Road and pole 438 south of St. Albans Church.
- (l) In High Street, Hampton, between Hampton Church and the " Duke's Head " public house.
- (m) In Richmond Road, Kingston.
- (n) In Kingston Hill and London Road, between the terminus in Kingston Hill and Alexandra Terrace.
- (o) In King's Road, Kingston.
- (p) In Clarence Street and London Road, Kingston, from the western extremity of Kingston Bridge to Alexandra Terrace.
- (q) In Penrhyn Road, Surbiton.
- (r) In Surbiton Crescent and Surbiton Road.
- (s) In Brighton Road, Victoria Road and St. Mark's Hill, Surbiton, between Portsmouth Road and Ewell Road.
- (t) In Kingston Road, Malden, between Dickerage Lane and New Malden Fountain.
- (u) In Wimbledon Hill Road, between Mansell Road and the main entrance to Wimbledon Station.
- (v) In Merton Road—
 - (i) between Hartfield Road and Stanley Road ;
 - (ii) between Latimer Road and Kingston Road.
- (w) In Haydons Road, Merton, at the narrow place southward of Hubert Road.

Ten Miles an Hour.

- (a) Between the west end of Southall and the Southall-Hayes Boundary.
- (b) Between the Hanwell-Ealing Boundary and the " Red Lion " public house near Southall Town Hall.
- (c) In Askew Road, Shepherd's Bush, except between Askew Crescent and Hadyn Park Road.
- (d) In Paddenswick Road and Dalling Road, Hammersmith.
- (e) In Hampton Road, Twickenham, between the Stanley Road Junction and Staines Road.
- (f) In Heath Road, Twickenham, between Cross Deep and Lion Road.
- (g) In York Street, Twickenham, between the London Road Junction and Church Street.
- (h) In Richmond Road, Twickenham, between Beaufort Road and St. Margaret's Road.

Eight Miles an Hour.

- (a) In Uxbridge Road, between Hillingdon Church and the bridge over the River Pinn on the descending journey.
- (b) In Lower Boston Road, Hanwell.
- (c) In Beadon Road, Hammersmith.
- (d) In Chiswick High Road, on the curves opposite Acton Lane.
- (e) In London Road, Isleworth, between Gumley House and Worton Lane.
- (f) In London Road, Twickenham, between Cole's Bridge and near York Street (except from Amyand Park Road to the Brewery entrance).
- (g) In Richmond Road, Twickenham—
 - (i) between St. Margaret's Road and Ryde House ;
 - (ii) between Orleans Lodge Gate and Montpelier Road.
 - (iii) between Church Street and Sion Road.

- (h) In King Street, Twickenham.
- (i) In High Street, Hampton between the commencement of the curve north of Hampton Church and Garrick Villa in Hampton Road.
- (j) In Upper Teddington Road, between the northern side of the railway overbridge at Vicarage Lane and the approach to Kingston Bridge.
- (k) In Hampton Court Road, between the approach to Hampton Court Bridge and the entrance to Bushey Park near the Greyhound Hotel.
- (l) In Eden Street, Kingston, between Clarence Street and St. James' Road.
- (m) In St. James' Road, Kingston.
- (n) In Worple Road, Wimbledon, opposite the inter-section of (i) The Downs, and (ii) Durham Road.
- (o) In Francis Grove and St. George's Road, Wimbledon.
- (p) Over the London and South Western Railway Company's bridge, between the main entrance to Wimbledon Station and Hartfield Road.
- (q) On the gradient at the south end of Haydon's Road, Merton, on the descending journey.

Six Miles an Hour.

- (a) In Askew Road, Shepherd's Bush, between Hadyn Park Road and Askew Crescent.
- (b) Between the Red Lion Inn (Southall) and the west end of Southall.
- (c) In Heath Road, Twickenham, between Staines Road and Lion Road.

Four Miles an Hour.

- (a) Through facing points, whether fixed or movable.
- (b) On the curve between Boston Road and Broadway, Hanwell.
- (c) On the curve between Askew Road, Hammersmith and Uxbridge Road.
- (d) On the curve between Goldhawk Road and Askew Road, Hammersmith.
- (e) On the curve between Paddenswick Road and Goldhawk Road, Hammersmith.
- (f) On the curve between Glenthorne Road and Dalling Road, Hammersmith.
- (g) On the curve between Studland Street and Glenthorne Road, Hammersmith.
- (h) On the curve between King Street and Studland Street, Hammersmith.
- (i) On the curve between Beadon Road, Hammersmith, and King Street.
- (j) On the curve at Young's Corner, Hammersmith.
- (k) In London Road, Twickenham, from Amyand Park Road to the Brewery entrance, on the journey towards Brentford.
- (l) In the London Road, Brentford, near the Junction with the Hounslow Line.
- (m) On the curves at the junction of London Road, Twickenham, King Street and York Street.
- (n) In Richmond Road, Twickenham—
 - (i) at Beaufort Road ;
 - (ii) between St. Margaret's Road and Cambridge Park.
- (o) On the curve between Stanley Road and Hampton Road, Twickenham.
- (p) On the curves adjacent to Hampton Green and the approach to Hampton Court Bridge.
- (q) On the curves adjacent to St. Alban's Church, Teddington.
- (r) On the curves between London Road, Eden Street, and Richmond Road, Kingston.
- (s) On the curve between Wimbledon Hill Road and Worple Road.
- (t) On the curve between Wimbledon Hill Road and St. George's Road.
- (u) On the curve in Merton Road opposite Latimer Road.
- (v) On the curve between Merton Road and High Street, Merton.
- (w) On the curve between High Street, Merton, and Haydon's Road.
- (x) On the curve between London Road and Twickenham Road at Busch Corner, Isleworth.
- (y) On all other curves of 66 feet radius or less.

Electrical pressure.

VI. The electrical pressure or difference of potential between the overhead conductors used in connection with the working of the lines and the earth, or between any two such conductors, shall in no case exceed 600 volts. The electrical energy supplied through feeders shall not be generated at or transformed to a pressure higher than 650 volts, except with the written consent of the Minister of Transport, and subject to such regulations and conditions as he may prescribe.

VII. The interval between the supports to which the overhead conductors used in connection with the working of the lines are attached shall not, except with the approval of the Minister of Transport, exceed 120 feet, and as a general rule the overhead conductors shall in no part be at a less height than 20 feet from the surface of the street, except where they pass under bridges. Electrical.

Where the wires are within reach of passengers, conspicuous notices shall be fixed on the bridges or adjoining posts warning the public not to touch the wires.

VIII. Each positive conductor shall be divided up into sections not exceeding (except with the special approval of the Minister of Transport) one-half of a mile in length, between every two of which shall be inserted an emergency switch so inclosed as to be inaccessible to pedestrians.

IX. Each separate insulator on the overhead conductors shall be tested not less frequently than once in a month and any insulator found to be defective shall at once be removed and an efficient insulator substituted.

X. All railings shall be connected with earth, except that those used by passengers in mounting a carriage may be insulated if so desired.

XI. All electrical conductors fixed upon the carriages in connection with the trolley wheel shall be formed of flexible cables protected by india-rubber insulation of the highest quality, and additionally protected wherever they are adjacent to any metal so as to avoid risk of the metal becoming charged.

XII. The trolley standard of every double-deck carriage shall be electrically connected to the wheels of the carriage in such manner as either to prevent the possibility of the standard becoming electrically charged from any defect in the conductors contained within it or in the event of the standard becoming electrically charged to give a distinctive and continuous warning signal recognizable both by day and by night to the driver or conductor. No passenger shall be allowed to travel on the upper deck of a carriage as long as there is risk of electric shock.

[NOTE.—This regulation will not apply to the trolley base on the top cover of double-deck carriages.]

XIII. An emergency cut-off switch shall be provided and fixed so as to be conveniently reached by the driver in case of any failure of action of the controller switch.

XIV. If and whenever telegraph, telephone, or other wires, unprotected with a permanent insulating covering, cross above, or are liable to fall upon or to be blown on to, the overhead conductors of the lines, efficient guard wires shall be erected and maintained at all such places.

Provided that this regulation shall not apply to Post Office over-road stay wires where they are earthed at each end to the tramway or light railway rails.

XV. Every guard wire shall be bonded to the rails through its support at each end and at intervals of not more than five spans.

XVI. No gas or electric lamp bracket shall be attached to any pole unless either triple insulation is provided between the pole and the overhead conductors, or the pole is bonded to the tramway rails.

[NOTE.—This regulation will not apply to brackets erected before the date of these regulations.]

XVII. Where any accident by explosion or fire, or any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury, has occurred in connection with the electric working of the lines, immediate notice thereof shall be given to the Ministry of Transport.

Penalty.

NOTE.—The London United Tramways (1901), Limited, or any other company or person using electrical power on the lines contrary to any of the above regulations is, for every such offence, subject to a penalty not exceeding ten pounds, and also in the case of a continuing offence, to a further penalty not exceeding five pounds, for every day during which such offence continues after conviction thereof.

Bye-laws.

- Bell. I. The special bell shall be sounded by the driver of the carriage whenever necessary as a warning.
- Exit and entrance. II. The entrance to and exit from the carriages shall be by the hindermost or conductor's platform except at a terminus when the carriages are stationary.
Provided that—
- (a) this bye-law shall not apply to carriages approved by the Minister of Transport with one man only in charge ;
 - (b) in the case of carriages of suitable design approved by the Minister of Transport passengers may alight from either end of the carriage on the near side ;
 - (c) where trailer carriages are used passengers may enter or leave at the hindermost end of the leading carriage or at either end of the rear carriage on the near side.
- Standstill points. III. The carriages on the lines shall be brought to a standstill as soon as possible whenever it is necessary to avoid impending danger and on all occasions immediately before reaching the following points :—
- (1) At Acton Vale railway bridge.
 - (2) At the stopping place west of Grove Road.
 - (3) At the stopping place west of Horn Lane, on the eastward journey, and at the stopping place east of Church Road, on the westward journey.
 - (4) At the commencement of the interlacing lines in Ealing.
 - (5) In Hanwell, between the corner of Lower Boston Road and the River Brent Bridge.
 - (6) In Twickenham Road, at the Congregational Church at the corner of Worton Lane, on the journey towards London.
 - (7) In Twickenham Road, at the Fire Station.
 - (8) The junction of Staines Road and Bath Road.
 - (9) In Richmond Road, at Montpelier Row.
 - (10) In Richmond Road, at Orleans Lodge Gate.
 - (11) The junction of York Street and London Road.
 - (12) In Hampton Road, at Stanley Road.
 - (13) In Hampton Road, at its junction with Staines Road.
 - (14) In Heath Road, at Heath Gardens.
 - (15) The top of the bridge over the London and South Western Railway bridge, at the east end of Broad Street.
 - (16) In Upper Teddington Road, at Hampton Wick Station.
 - (17) The junction of High Street (Hampton Wick), The Terrace, Hampton Court Road, and the approach to Kingston Bridge, before passing through the facing points.
 - (18) Before passing round the Hampton Green curve.
 - (19) Before passing in front of the Hampton Elementary Schools.
 - (20) The junction of King Street and Studland Street.
 - (21) The junction of Studland Street and Glenthorne Road.
 - (22) The junction of Glenthorne Road and Dalling Road.
 - (23) The junction of Paddenswick Road and Goldhawk Road.
 - (24) The junction of Goldhawk Road and Askew Road.
 - (25) The junction of Askew Road and Uxbridge Road.
 - (26) The junction of Askew Road and Becklow Road.
 - (27) In Clarence Street, at the intersection of Thames Street.
 - (28) In Clarence Street and London Road, at Eden Street.
 - (29) In Eden Street, at the fouling point of the interlacing line.
 - (30) The junction of Clarence Street and Eden Street.
 - (31) The junction of London Road and Eden Street.
 - (32) The junction of Eden Street and St. James' Road.
 - (33) The junction of Surbiton Road and Surbiton Crescent.
 - (34) The junction of Surbiton Crescent and Claremont Road.
 - (35) The junction of Claremont Road and Victoria Road.
 - (36) The junction of Victoria Road and Brighton Road.
 - (37) The junction of St. Mark's Hill and Ewell Road.
 - (38) The junction of Brighton Road and Portsmouth Road.
 - (39) The junction of Boston Road and Lower Boston Road.
 - (40) Before passing round the curves at the junction of Broadway (Hanwell) and Boston Road.
 - (41) Before passing round the curves at the junction of Broadway (Hanwell) and Lower Boston Road.

- (42) Before passing round the curves at the junction of Richmond Road and King's Road.
- (43) Before passing under the London and South-Western Railway Bridge in Kingston Road
- (44) The junction of Wimbledon Hill Road and Worple Road.
- (45) The junction of Wimbledon Hill Road and St. George's Road.
- (46) The curve in Merton Road opposite Latimer Road.
- (47) The junction of Merton Road and High Street (Merton).
- (48) The junction of High Street (Merton) and Haydens Road.
- (49) The corner of Merton Road and Trinity Road, on the eastward journey.
- (50) The corner of Merton Road and Montague Road, on the westward journey.
- (51) On the south side of Wimbledon Station at the footbridge exit opposite the Prince of Wales Hotel, on the journey towards Tooting.
- (52) Opposite the main entrance to Wimbledon Station, on the journey towards Wimbledon Hill.
- (53) On each side of the Great Western Railway bridge at Southall.

IV. A printed copy of these regulations and bye-laws shall be kept in a conspicuous position inside of each carriage in use on the lines.

Penalty.

NOTE.—Any person offending against or committing a breach of any of these bye-laws is liable to a penalty not exceeding forty shillings.

The provisions of the Summary Jurisdiction Acts, with respect to the recovery of penalties, are applicable to the penalties for the breach of these regulations or bye-laws.

Signed this 23rd day of May, 1922.

The Heavy Motor Car (Amendment) Order, 1922, DATED 29TH MAY, 1922, MADE BY THE MINISTER OF TRANSPORT.

S.R. & O., 1922, No. 556.

- To the County Councils of the several Administrative Counties in Great Britain ;— See p. 184.
- To the Mayor, Aldermen, and Commons of the City of London in Common Council assembled ;—
- To the Councils of the several County Boroughs in England and Wales ;—
- To the Councils of the Royal Parliamentary and Police Burghs in Scotland concerned ;—
- To the Councils of the several Metropolitan Boroughs ;—
- To the Urban District Councils of the several Urban Districts in England and Wales ;—
- To the Rural District Councils acting as Highway Authorities in Rural Districts in England and Wales ;—
- And to all others whom it may concern.

Whereas by section 6 of the Locomotives on Highways Act, 1896 (59 & 60 Vict. c. 36) (as modified by section 12 of the Motor Car Act, 1903 (3 Edw. 7, c. 36)), the Local Government Board in England and Wales and the Secretary for Scotland in Scotland were respectively empowered to make regulations with respect to the use on highways of light locomotives and motor cars as defined in the said Acts, and their construction and the conditions under which they may be used ;

And whereas by section 7 of the Locomotives on Highways Act, 1896, it is enacted that a breach of any regulation so made may on summary conviction be punished by a fine not exceeding ten pounds ;

And whereas the Local Government Board by the Heavy Motor Car Order, 1904 (S.R. & O., 1904, No. 1809), and the Secretary for Scotland by the Heavy

Motor Car (Scotland) Order, 1905 (S.R. & O., 1905, No. 1), respectively made regulations with respect to the weight, conditions of use, construction and speed of heavy motor cars ;

And whereas the said recited Orders have been amended by various amending Orders ;

And whereas by the Ministry of Transport Act, 1919 (9 & 10 Geo. 5, c. 50), the Ministry of Transport (Ministry of Health Exception of Powers) Order, 1919 (S.R. & O., 1919, No. 1441), and the Ministry of Transport (Secretary for Scotland Transfer and Exception of Powers) Order, 1920 (S.R. & O., 1920, No. 2122), the powers of the Local Government Board and the Secretary for Scotland to make such regulations as aforesaid respectively are now vested in the Minister of Transport ;

And whereas it is expedient that certain of the regulations made under the said recited Orders shall be modified in manner hereinafter appearing :

Now, therefore, in exercise of the powers in that behalf vested in him the Minister of Transport hereby orders as follows :—

ART. I.—The Heavy Motor Car Order, 1904, and the Heavy Motor Car (Scotland) Order, 1905, as respectively amended by subsequent Orders, shall have effect as if—

- (a) In Article VII of the said Orders the words “ Provided also that ” to the end of the Article were omitted and the following words inserted in substitution therefor (that is to say) :—

“ Provided also that if the heavy motor car has all its wheels fitted with tyres made of soft or elastic material and does not draw a trailer or draws a trailer which is so constructed and by partial super-imposition attached to the heavy motor car that at all times the weight upon the rear axle of the heavy motor car shall exceed the weight upon the axle of the trailer and which trailer has not more than two wheels in contact with the ground such wheels being fitted with pneumatic tyres or with tyres made of a soft or elastic material the speed at which the heavy motor car may be driven on any highway shall not exceed twelve miles an hour.”

- (b) In subsection 3 of Article XI of the said Orders the words “ four tons ” were omitted and the words “ six and a half tons and the sum of the axle-weights of all the axles of a trailer and of the heavy motor car drawing such trailer shall not exceed twenty-two tons ” were inserted in substitution therefor.
- (c) In Article XI of the said Orders the following subsection was added to the Article, that is to say :—

“ (6) If a heavy motor car draws a trailer which is so partially super-imposed upon and attached to the heavy motor car that at all times the weight upon the rear axle of the heavy motor car shall exceed the weight upon the axle of the trailer the total length of the heavy motor car and the trailer so attached shall not exceed thirty-three feet when measured between the extreme projecting points.”

ART. II.—Nothing in this Order shall—

- (a) Affect the operation prior to the date of this Order of the regulations made in the Heavy Motor Car Order, 1904, and the Heavy Motor Car (Scotland) Order, 1905, as respectively amended by subsequent Orders, or anything duly done or suffered under those regulations ; or
- (b) Affect any right, privilege, obligation or liability acquired, accrued or incurred under those regulations ; or
- (c) Affect any fine or punishment incurred in respect of a breach of those regulations ; or
- (d) Affect any legal proceeding or remedy in respect of any such right, privilege, obligation, liability, fine or punishment :

and any such legal proceeding or remedy may be instituted, continued or enforced and any such fine or punishment may be imposed as if this Order had not been made.

ART. III.—This Order shall have effect on and from the first day of June, 1922, and may be cited as the Heavy Motor Car (Amendment) Order, 1922.

Given under the Seal of the Minister of Transport this 29th day of May, 1922..

APPENDIX.

ABSTRACT OF LAWS

RELATING TO PROPRIETORS, DRIVERS AND
CONDUCTORS OF PUBLIC CARRIAGES
WITHIN THE METROPOLITAN POLICE
DISTRICT AND THE CITY OF LONDON AND
ITS LIBERTIES.

PREFACE.

By the London Hackney Carriages Act, 1843, 6 & 7 Vict. c. 86, s. 8, it is provided that the Commissioner of Police of the Metropolis shall at the time of granting any licence, deliver to the driver or conductor to whom the same shall be granted, an Abstract of the laws in force relating to such driver or conductor and of the penalties to which he is liable for any misconduct.

This Abstract is for issue in compliance with the statute and also to give information to proprietors of public carriages.

The laws applying to public carriages date from 1831. Several of the Acts were passed before the introduction of modern motor traffic, and are consequently not expressed in an apt manner thereto.

In this Abstract the Secretary of State's Order of May 1, 1917, is printed *in extenso*, as are certain of the more important sections of Acts and Regulations, but in general the law has been summarized. The Acts and Regulations affecting public carriages will be found printed in full in the Traffic Manual shortly to be published.

The Abstract is divided into twenty parts, and a reference to the Table of Contents and to Part II will indicate in which part information will be found.

CARROL ROMER.

1921.

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- 1 & 2 Will. 4, c. 22. The London Hackney Carriage Act, 1831.
 - 2 & 3 Will. 4, c. 120. The Stage Carriage Act, 1832.
 - 3 & 4 Will. 4, c. 48. The London Hackney Carriages Act, 1833.
 - 5 & 6 Will. 4, c. 50. The Highway Act, 1835, ss. 72, 78.
 - 5 & 6 Vict. c. 79. The Railway Passenger Duty Act, 1842.
 - 6 & 7 Vict. c. 86. The London Hackney Carriages Act, 1843.
 - 13 & 14 Vict. c. 7. The London Hackney Carriage Act, 1850.
 - 16 & 17 Vict. c. 33. The London Hackney Carriage Act, 1853.
 - 16 & 17 Vict. c. 127. The London Hackney Carriage (No. 2) Act, 1853.
 - 32 & 33 Vict. c. 115. The Metropolitan Public Carriage Act, 1869.
 - 33 & 34 Vict. c. 78. The Tramways Act, 1870.
 - 51 & 52 Vict. c. 8. Revenue Act, 1888.
 - 53 & 54 Vict. c. 34. The Infectious Diseases (Prevention) Act, 1890, s. 11.
 - 59 & 60 Vict. c. 27. The London Cab Act, 1896.
 - 59 & 60 Vict. c. 36. The Locomotives on Highways Act, 1896.
 - 3 Edw. 7, c. 36. The Motor Car Act, 1903.
 - 7 Edw. 7, c. 45. The Lights on Vehicles Acts, 1907.
 - 7 Edw. 7, c. 55. The London Cab and Stage Carriage Act, 1907.
 - 1 & 2 Geo. 5, c. 27. The Protection of Animals Act, 1911.
 - 10 & 11 Geo. 5, c. 18. Finance Act, 1920.
 - 10 & 11 Geo. 5, c. 72. Roads Act, 1920.
 - 11 & 12 Geo. 5, c. 32. Finance Act, 1921.
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ABSTRACT OF LAWS

RELATING TO

PROPRIETORS, DRIVERS AND CONDUCTORS
OF PUBLIC CARRIAGES

WITHIN THE

METROPOLITAN POLICE DISTRICT

AND THE

CITY OF LONDON AND ITS LIBERTIES.

I.—DEFINITIONS.

In this Abstract :—

“ ACT ” means the Metropolitan Public Carriage Act, 1869 (32 & 33 Vict. c. 115), except where the subject or context is repugnant to such construction.

“ CAB.” See Hackney Carriage.

“ THE COMMISSIONER ” means the Commissioner of Police of the Metropolis. 19 & 20 Vict. c. 2, ss. 1, 5.

“ CONDUCTOR ” includes every director or other person, except the driver, who attends upon the passengers in any metropolitan stage carriage. 6 & 7 Vict. c. 86, s. 2.

“ FARE ” includes any payment to be made for the carriage of luggage on a cab and any other payment to be made in respect of the hire of a cab. 7 Edw. 7, c. 55, s. 6.

“ HACKNEY CARRIAGE ” or “ CAB ” means a carriage for the conveyance of passengers which plies for hire within London, and is not a stage carriage. Act, s. 4.

“ LONDON ” means the Metropolitan Police District and the City of London and its liberties. 7 Edw. 7, c. 55, s. 6.

The “ METROPOLITAN POLICE DISTRICT ” as constituted by section 4 of the Metropolitan Police Act, 1829, comprised the City and liberties of Westminster and certain parishes and places in the Counties of Middlesex, Surrey and Kent which were set out in the Schedule to the Act. The district was considerably extended by an Order in Council dated the 3rd January, 1840, which was made under

section 34 of the Act of 1829 and section 2 of the Metropolitan Police Act, 1839. As so extended the Metropolitan Police District now comprises the following places:—

The County of London, exclusive of the City of London and its liberties.

The County of Middlesex.

The County Boroughs of Croydon, East Ham and West Ham; and the following civil parishes:—

In the County of Surrey: Addington, Banstead, Barnes, Beddington, Carshalton, Cheam, Chessington, Coombe, Coulsdon, Cuddington, Epsom, Ewell, Farley, Ham, Hamlet of Hook, Kew, Kingston-on-Thames, Long Ditton, Malden, New Malden, Merton, Mitcham, Morden, Mortlake, Moulsey (East and West), North Sheen, Petersham, Richmond, Sanderstead, Surbiton, Sutton, Thames Ditton, Tolworth, Wallington, Warlingham, Wimbledon, and Woodmansterne.

In the County of Herts: Aldenham, Arkley, East Barnet, Barnet Vale, Bushey, Cheshunt, Chipping Barnet, Elstree, Hadley, Monken Hadley, Northaw, Oxhey, Ridge, Shenley, South Mimms (Urban), and Totteridge.

In the County of Essex: Barking, Buckhurst Hill, Cann Hall, Chigwell, Chingford, Dagenham, Ilford, Loughton, Leyton, Waltham Holy Cross, Walthamstow, Wanstead, and Woodford.

In the County of Kent: Beckenham, Bexley, Bromley, Chislehurst, Crayford, Down, Erith, Farnborough, Foot's Cray, Hayes, Keston, Mottingham, North Cray, Orpington, Penge, St. Mary Cray, St. Paul's Cray, and West Wickham.

The CITY OF LONDON AND ITS LIBERTIES will be found to be defined in the City and County of London Amalgamation, 1894. Report of Royal Commission, Appendix X. See also Metropolitan Management Act, 1855, s. 250; London Building Act, 1894, s. 5 (43); London Sewers Act, 1848, s. 262. The definition is long and complicated, and the expression may be taken for the purposes of the following pages to mean the central areas which are surrounded by the Metropolitan Police District.

“ORDER” means the Order made in pursuance of the Act by the Secretary of State and dated 1st May, 1917.

6 & 7 Vict.
c. 86, s. 2.

“PROPRIETOR” means any person who either alone or in partnership with any other person keeps any hackney carriage or any metropolitan stage carriage, or who is concerned otherwise than as a driver or attendant in employing for hire any hackney carriage or any metropolitan stage carriage.

“PUBLIC CARRIAGE” includes both a hackney carriage and a stage carriage.

Act, ss. 4, 5.

“STAGE CARRIAGE” means a carriage for the conveyance of passengers which plies for hire in any public street, road, or place in London, and in which the passengers or any of them are charged to pay separate and distinct or at the rate of separate and distinct fares for their respective seats therein.

7 Edw. 7,
c. 55, ss. 3, 5. to:—
Order,
para. 17.

All Acts and Orders relating to stage carriages in London now apply to:—

- (1) Every carriage using a tramway or light railway.
- (2) Every carriage constructed in the form of an omnibus, char-à-banc, wagonette, cab or other vehicle which is intended or used for the conveyance of passengers and which plies for hire in any street, road or place, and in which the passengers or any of them are charged to pay separate and distinct fares or at

the rate of separate and distinct fares for their respective places or seats therein, and which on every journey goes to or comes from some town or place beyond London.

Provided that nothing . . . shall apply to a four-horse coach known as a stage coach or to any other vehicle or class of vehicle which shall from time to time be specially exempted. . .

“TAXIMETER” means any appliance for measuring the time or distance for which a cab is used, or for measuring both time and distance, which is for the time being approved for the purpose by or on behalf of the Secretary of State. 7 Edw. 7, c. 55, s. 6.

II.—GENERAL.

The object of this Abstract is to set forth the conditions upon which proprietors, drivers and conductors of public carriages are licensed and the special laws and rules which they must obey.

Proprietors and drivers of mechanically propelled or horse-drawn public carriages are subject in addition to the laws and regulations which affect all those who keep or drive motor cars or horses, whether used for public or private carriages, and with these general laws and regulations this Abstract is not directly concerned.

Therefore, such Acts as the Motor Car Acts, the Protection of Animals Act, the Diseases of Animals Act, &c., and the Orders made thereunder, are not dealt with completely, though the more important provisions of such Acts are briefly alluded to.

This Abstract does not deal with public carriages which ply for hire outside the Metropolitan Police District and the City of London and its liberties, except that the London public carriage laws, and therefore this Abstract, do apply to stage carriages (buses and chars-à-banc and tramcars), which in performing their journeys proceed partly within and partly without London. 7 Ed. 7, c. 55, s. 3. Order, para. 17.

Public carriages in London are regulated partly by the direct provisions of Acts of Parliament, partly by regulations made by the Commissioner of Police, and partly by the Orders of the Secretary of State as authorized by Act of Parliament.

Proprietors, drivers and conductors should carefully study the Order (Part XV hereof) which relates to licences, and also contains regulations as to cabs and stage carriages, as to cab fares and hiring, and as to taximeters.

The proprietor of a public carriage must hold a LICENCE from the Commissioner for such carriage, and the driver or conductor or assistant conductor of a public carriage must hold a licence from the Commissioner as the driver or conductor of such a carriage. A composite licence to act either as the driver or conductor may be granted, but such a licence is only granted on the application of a proprietor. These licences are renewable annually (see Part III for carriage licence and Part V for driver's and conductor's licence). Licence.

Penalties if
unlicensed.

The PENALTIES which a proprietor, driver or conductor may incur by being WITHOUT LICENCES to act as proprietor, driver or conductor are shown by the following sections:—

6 & 7 Vict.
c. 86.

10. It shall not be lawful for any person to act as driver of any hackney carriage, or as driver or conductor of any metropolitan stage carriage, whether such person shall or shall not be the proprietor of such carriage . . . within the limits of this Act, unless in each case such person shall have a licence so to do and a numbered ticket granted to him under the authority of this Act, and remaining in force; and every person who shall act as such driver or conductor . . . without such licence or ticket . . . and also every person to whom a licence and ticket shall have been granted, who shall, except in compliance with the provisions of this Act, transfer or lend such licence, or permit any other person to use or wear such ticket, shall for every such offence forfeit the sum of five pounds; and every proprietor who shall knowingly suffer any person not duly licensed under the authority of this Act to act as driver of any hackney carriage, or as driver or as conductor of any metropolitan stage carriage, of which he shall be the proprietor, shall for every such offence forfeit the sum of ten pounds: provided always, that nothing hereinbefore contained shall subject to any penalty any proprietor who shall employ any unlicensed person to act as such driver or conductor as aforesaid for any time not exceeding twenty-four hours, or any unlicensed person who shall be so employed for the said time, upon proof being adduced by the proprietor, to the satisfaction of the justice of the peace before whom such proprietor, driver, or conductor shall be required to attend to answer for such offences respectively, that such employment was occasioned by unavoidable necessity; and that every proprietor who shall so employ such unlicensed driver or conductor and every such unlicensed driver or conductor shall be subject to all the powers, provisions, and proceedings of and under this Act or the [London Hackney Carriage Act, 1831], for any act done by such driver or conductor during such employment, in like manner as if such driver or conductor had been duly licensed.

32 & 33 Vict.
c. 115 (1869).

7. If any unlicensed hackney, or stage carriage plies for hire, the owner of such carriage shall be liable to a penalty not exceeding five pounds for every day during which such unlicensed carriage plies. And if any unlicensed hackney carriage is found on any stand within the limits of this Act, the owner of such carriage shall be liable to a penalty not exceeding five pounds for each time it is so found. The driver also shall in every such case be liable to a like penalty unless he proves that he was ignorant of the fact of the carriage being an unlicensed carriage.

Any hackney or stage carriage plying for hire, and any hackney carriage found on any stand without having such distinguishing mark, or being otherwise distinguished in such manner as may for the time being be prescribed by the said Secretary of State shall be deemed to be an unlicensed carriage.

8. No hackney carriage shall ply for hire within the limits of this Act unless under the charge of a driver having a licence from the said Secretary of State and no stage carriage shall ply for hire within the limits of this Act unless the conductor and driver of such carriage have respectively licences from the said Secretary of State. If any hackney or stage carriage plies for hire in contravention of this section, the person driving the same, and also the owner of such carriage, unless he proves, in the case of a hackney carriage that the driver, and in the case of a stage carriage, that the conductor or driver, as the case may require, acted without his privity or consent, shall respectively be liable to a penalty not exceeding forty shillings.

This clause shall not repeal the 10th section of the [London Hackney Carriages Act, 1843].

Note.—In general and apart from *public* carriages, licences are required for mechanically propelled vehicles, and licences are required by the drivers of motor cars. Both these licences are obtained from county councils and the fees for them are payable to county councils (see Motor Car Act, 1903, s. 3, and Roads Act, 1920, s. 1). When a vehicle is licensed as a public carriage a special rate of duty is payable. Payment is now made to the county council and not to the police (Roads Act, 1920, s. 14). The motor driver's licence and the police licence to drive a public carriage remain entirely distinct (see Parts XIII and XX).

SPECIFICATIONS to which public carriages must conform in order to be licensed are drawn up by the Commissioner and will be found at Part XVI of this Abstract.

Specifications for vehicles.

The Commissioner may make regulations regarding STOPPING PLACES for stage carriages, and the driver or conductor who acts in contravention of such regulations is liable to a penalty of forty shillings.

6 & 7 Vict.
c. 86, s. 29.
7 Ed. 7, c. 55, s. 4.

The Commissioner may appoint STANDINGS for cabs at convenient places and make regulations for the same, for enforcing order there, and for removing loiterers therefrom.

13 & 14 Vict.
c. 7, s. 4.

Standings must be in the centre part of the street unless there are houses only on one side of the street.

6 & 7 Vict.
c. 86, s. 30.

Persons may be appointed to maintain good order at stands or places where stage or hackney carriages call or ply for passengers; but no such person may act on premises belonging to a railway company unless with the directors' consent.

16 & 17 Vict.
c. 33, s. 12.
32 & 33 Vict.
c. 115, s. 9(2).

The Commissioner may exhibit notices of fares, distances and other information at standings and other places as he may think fit.

16 & 17 Vict.
c. 33, s. 6.

REGULATIONS to be observed by drivers of cabs at STANDINGS will be found in Part XIX.

Regulations to be observed by drivers of cabs and public carriages when taking up or setting down persons at THEATRES and PUBLIC PLACES will be found in Part XVIII.

REGULATIONS made by the Commissioner of the CITY POLICE and affecting stage carriages and cabs within the City will be found at Part XVII.

Regulations of City Police.

The company controlling A RAILWAY STATION may make regulations as to the number of cabs to be admitted at any one time, for rejecting cabs and drivers unfit for admission, and for the expulsion of any cabman who has been guilty of misconduct or of a breach of the company's bye-laws or regulations. Privileged cab systems are not allowed in many stations (see further, Part VIII).

7 Edw. 7,
c. 55, s. 2.
Railway stations.

The CAB FARES payable will be found in Schedules I, K and L of the Order (see Part XV). The fares may be varied by Order of the Secretary of State.

Cab fares.

STAGE CARRIAGE FARES.—In general the proprietor is under a statutory obligation to expose a table of fares in a conspicuous place in the stage carriage and the fares on this table are deemed to be the lawful fares.

6 & 7 Vict.
c. 86, s. 7.
Stage carriage fares

There is no statutory control of the amounts of these fares which may be fixed save in the case of tramway and other undertakings which are governed by Acts of Parliament which stipulate a maximum rate of fares. Increases have recently in most cases been allowed on the maximum rates in such statutory charges either by legislation or by the Minister of Transport under general powers conferred by the Statutory Undertakings (Temporary Increase of Charges) Act, 1918, and Tramways (Temporary Increase of Charges) Act, 1920.

AGREEMENTS between proprietors and drivers and conductors on account of earnings of a cab or stage carriage should be in writing, but are not liable to any stamp duty. If not in writing, they may not be enforceable.

6 & 7 Vict.
c. 86, s. 23.
Agreements.

III.—LICENCES TO PROPRIETORS.

Licence.

The proprietor must obtain a licence from the Commissioner to ply for hire with public carriage. The licence is obtained in the manner set forth in Part I of the Order (see Part XV).*

(In the case of persons purchasing cabs on the hire purchase system, the Commissioner requires satisfactory assurance for protection of the public in regard to third party claims. An accepted insurance policy for £1,000 or unlimited amount is usually submitted by the applicant. In the case of chars-à-banc, etc., insurance policies must be submitted.)

The penalties for using an unlicensed public carriage or employing an unlicensed driver are fully set forth on p. 8.

The licence obtained by the proprietor from the Commissioner for a public carriage is granted subject to certain CONDITIONS; (see paragraph 13 of the Order; *post*, Part XV).

These CONDITIONS relate to :—

- (a) Sub-letting carriage.
- (b) Change of address.
- (c) (1) use of carriage for illegal purpose ;
(2) defacing licence ;
(3) production of licence ;
(4) inspection of carriage, &c. ;
(5) delivery up of licence and carriage plates.
- (d) Concealment or alteration of numbers and marks.
- (e) Order, upkeep and repair. Advertisements to be sanctioned.
- (f) Only licensed drivers to be employed.

By paragraph 15 of the Order a breach of these Conditions renders the licence liable to forfeiture.

Appeal from
refusal to
grant licence.

The Roads Act, 1920, by section 14 (3), gives a right of appeal from an adverse decision of the Commissioner upon application for the grant of an omnibus licence ; this section is as follows :—

“ Where, upon application for a licence to ply for hire with an omnibus, the licensing authority either refuses to grant a licence or grants a licence subject to conditions, in either case the applicant shall have a right of appeal to the Minister of Transport from the decision of the licensing authority, and the Minister shall have power to make such order thereon as he thinks fit, and such order shall be binding upon the licensing authority.

“ An order made by the Minister under this subsection shall be final and not subject to appeal to any court, and shall, on the application of the Minister, be enforceable by writ of mandamus.

“ For the purpose of this subsection, the expression ‘ omnibus ’ includes every omnibus, char-à-banc, wagonette, brake, stage coach, or other carriage plying for hire or used to carry passengers at separate fares.”

* Having complied with the provisions laid down the proprietor is enabled to obtain a licence for the public carriage at the lower rate of duty applicable to hackney carriages (see Part XX hereof). The manner of application for this county council licence does not materially differ from the manner of application for a county council licence for a private carriage and is contained in the Roads Act, 1920, and the Roads Vehicles (Registration and Licensing) Regulations, 1921 ; see further, pp. 30 & 94.

IV.—DUTIES OF PROPRIETORS.

REGULATIONS concerning proprietors made by the Order (see Part XV, *post*) relate to—

- Paragraph 25. Painting on cab of number of persons licensed to carry ;
 „ 26. Cab carrying more than licensed number.
 „ 28. Tickets for hirer.
 „ 29. Delivery up of licence and plates.
 „ 35. Persons under 20 not to conduct alone.
 „ 45. Every taximeter to bear seal or mark approved by Commissioner.
 „ 46. Breaking or tampering with the seal or mark of a taximeter or the instrument itself.

A penalty of forty shillings may be incurred for a breach of any of these regulations.

Various STATUTES impose the following DUTIES and PENALTIES* on PROPRIETORS.

Carriage or driver not having a licence, see p. 8.

Every motor cab must be fitted with a taximeter.

Order, para. 38.

The proprietor :—

Shall not use or employ any stage carriage, unless the Christian and surname of the proprietor is painted upon some conspicuous part of each side of the carriage ; nor neglect to paint again such particulars as may be obliterated or defaced. [Penalty, five pounds.]

2 & 3 Will. 4, c. 120, s. 36. Proprietor's name on stage carriage.

Shall not use or employ any stage carriage, unless the number of passengers which it is constructed to carry is painted on the outside and the inside thereof ; nor use or employ such carriage having thereon any particulars importing that it is constructed to carry a greater number of passengers than it is truly constructed to carry. [Penalty, ten pounds.]

5 & 6 Vict. c. 79, ss. 13, 14. Number of passengers painted on carriage.

Sixteen inches on fit and proper seats is to be allowed for each passenger. These particulars are to be painted up in each compartment and in a specified way as laid down by 5 & 6 Vict. c. 79, s. 14. [Penalty for default, ten pounds.]

The proportion of inside to outside passengers is laid down in section 17 of the same Act for carriages of a certain type.

Shall keep distinctly painted both on the outside and the inside of every stage carriage the words “ metropolitan stage carriage ” and such other words as the Commissioner may direct ; and shall also on the inside of every such carriage keep distinctly painted in a conspicuous manner a table of fares to be demanded of passengers using such carriage. The fares therein specified are deemed to be the only lawful fares, and may be recovered by the driver or conductor as in the case of cabs in a summary way before any justice of the peace. [Penalty, twenty shillings.] (See, as to procedure for non-payment of fare, 1 & 2 Will. 4, c. 22, s. 41, *post*, Part VII.)

6 & 7 Vict. c. 86, s. 7. “ Metropolitan stage carriage ” to be painted outside, and table of fares inside. Fares recoverable as in case of hackney carriages.

* The maximum penalty is given. So large a penalty need not necessarily be imposed.

1 & 2 Will. 4, c. 22, s. 48. (Shall provide and place in every cab a proper check string or wire, and renew the same from time to time, so often as occasion shall require.) [Penalty, twenty shillings.]
Check string.

16 & 17 Vict. c. 33, ss. 15. Shall not suffer any notice, advertisement, &c., to appear on a cab or stage carriage so as to obstruct ventilation or light, or cause annoyance to passengers. [Penalty, forty shillings.]
16.
Obstruction of light.

Ibid., s. 14. Shall cause a lamp to be placed inside every metropolitan stage carriage in such position and manner as the Commissioner shall direct. [Penalty, forty shillings.]
Lamp to be placed inside stage carriage.

7 Edw. 7, c. 45, s. 1. Shall provide a cab or stage carriage with a lamp or lamps showing a white light in front for a reasonable distance ; if one only be provided it must be on the offside. See also footnote on p. 44 hereof.
Lamps outside.

54 & 55 Vict. c. 76, ss. 70, 74. Shall not convey within the city or county of London in any public conveyance any person suffering from a dangerous infectious disease, or corpse of anyone who has died of such a disease. [Penalty, ten pounds.] And if any such person is so conveyed shall give notice to the sanitary authority, and shall cause such conveyance to be disinfected. [Penalty, five pounds.] The cost of disinfection may be recovered from the person conveyed or hiring the vehicle.
Conveying infected persons in London.
Disinfection of vehicle.

38 & 39 Vict. c. 55, s. 127. Shall, outside the County of London, provide for the disinfection of his vehicle immediately after the conveyance of a person suffering from a dangerous infectious disorder. [Penalty, five pounds.] But he is not to be required to drive such person until he has been paid a sum sufficient to defray the loss and cost occasioned by such disinfection.
Disinfection of vehicle outside County of London.

6 & 7 Vict. c. 86, s. 8. Shall insert in the appropriate columns of a driver's or conductor's licence his own name and address, and the days on which such driver or conductor entered and quitted his service. [Penalty, forty shillings.]
Entries in driver's or conductor's licence.

Ibid., s. 10. Shall not (excepting in a case of unavoidable necessity proved to the satisfaction of a justice, and for a period of time not exceeding twenty-four hours) knowingly suffer any unlicensed person to act as driver of any cab or as driver or conductor of any metropolitan stage carriage, of which he is proprietor. [Penalty, ten pounds.] Every proprietor who so employs such unlicensed driver or conductor, and the driver or conductor as well, is liable to the same proceedings for any act done by him during his employment as if he had been duly licensed. [Penalty, ten pounds.]
Suffering unlicensed person to act as driver or conductor.
Liability for acts of unlicensed drivers, &c.

6 & 7 Vict. c. 86, s. 21. Shall require to be delivered to him, and retain in his possession, the licence of every driver or conductor in his service. And shall produce such licence whenever summoned on any complaint before a justice to produce the driver or conductor, if such driver or conductor shall be in his service at the time of receiving the summons. [Penalty, three pounds.]
Proprietor to retain driver's and conductor's licence and produce them on complaint.

Shall, on demand, return the licence when any driver or conductor leaves his service, unless the proprietor has any complaint against him, when the licence may be retained for any time not exceeding twenty-four hours after demand (exclusive of Sunday or any day on which the police court does not sit), within which time the proprietor must apply for a summons, and deposit the licence with the clerk of the court :

Ibid., s. 24.
Return of
licence to
driver or
conductor.

Shall deliver up to a justice any driver's or conductor's licence in the proprietor's possession, when required to do so, on its revocation or suspension. [Penalty, five pounds.]

Ibid., s. 25.
Delivery up
of licence.

In case of hurt or damage by driver's or conductor's carelessness or wilful misbehaviour, the justice may order proprietor to pay compensation not exceeding ten pounds, to be recovered by him from such driver or conductor.

Ibid., s. 28.
Compensa-
tion for
injury, &c.

May be summoned to appear and to produce any driver or conductor against whom complaint has been made for certain offences, and is liable to a penalty of forty shillings if without satisfactory excuse he fails to produce him.

Ibid., s. 35.
Proprietor to
produce
driver or
conductor.

Must not clean or dress a horse in thoroughfare or public place ; and must not clean, make, or repair a carriage there. [Penalty, forty shillings.]

2 & 3 Vict.
c. 47, s. 54.

Is liable if his driver is cruel to animals in his charge.

1 & 2 Geo. 5,
c. 27.
Cruelty to
animals.

(Other offences under Police Acts are noted, *post*, Part XIV.)

V.—LICENCES TO DRIVERS AND CONDUCTORS— CABS AND STAGE CARRIAGES.

Every driver and conductor must be licensed (for penalty for being without a licence, see p. 8). Licence.

The procedure for a man who wants a licence to drive or conduct a public vehicle is :—

- (a) Apply at Public Carriage Office, New Scotland Yard, where he is required to fill up certain forms, showing class of licence required, general statement as to previous service (in the Army, &c.), and if previously charged or summoned the brief particulars.
- (b) Men desiring to be drivers of mechanically propelled vehicles are furnished with a Form for medical certificate of fitness.
- (c) All men are photographed for identification purposes.
- (d) Requisition forms are issued for recommendation of two householders and the signature of the last employer.
- (e) Cab driving applicants are given a topographical examination and all drivers an examination as to proficiency.

The Order (see p. 42) provides that a licence may be granted by the Commissioner

- (a) to a driver who is not less than 21 years of age ;
- (b) to a conductor who is not less than 20 years of age ;
- (c) upon written request by proprietor, an assistant conductor, not less than 16 years old, may be licensed.

- Discretion to refuse licence The Commissioner has discretion to refuse to grant the licence if
 (a) applicant is not of good character or is unfit to act as driver or conductor ;
 (b) applicant has for any considerable period and while licensed not acted as driver or conductor.
- Renewal, fee. Forms of licence are provided in the Order. Licences are in force for one year and the fee for the licence is five shillings.
- 6 & 7 Vict. c. 86, s. 21. Proprietor holds licence. The proprietor of a public carriage holds the licence of driver or conductor employed by him.
- 6 & 7 Vict. c. 86, s. 16. Evidence. This licence must be produced by proprietor when his employee is summoned for an offence. If the offence is proved the licence may be endorsed accordingly.
- 6 & 7 Vict. c. 86, s. 24. Licence returned by employer. The particulars of any licence may be proved in all courts by a certified copy of the entry made of such licence in the books of the Commissioner.
- 6 & 7 Vict. c. 86, s. 8. Abstract of laws and badge. When employee quits service of proprietor the licence is to be returned to him. If proprietor has a claim or complaint against employee he may retain licence provided that within twenty-four hours he applies for a summons against employee. If proprietor act unreasonably or wrongfully a justice may award compensation to employee.
- 6 & 7 Vict. c. 86, s. 8. Columns for proprietor's name and address, &c. The Commissioner at the time of granting a licence will deliver to the driver or conductor an abstract of the laws in force relating to such driver or conductor, and of the penalties to which he is liable for any misconduct ; and also a metal ticket, upon which there shall be marked or engraved his office or employment, and a number corresponding with the number inserted in such licence.
- 6 & 7 Vict. c. 86, s. 25. Proprietor, etc., to deliver up licence and ticket on conviction of driver or conductor. Order 22. On every such licence the Commissioner will cause proper columns to be prepared in which the proprietor employing the driver or conductor named in the licence must enter his own name and address, and the days on which the driver enters and quits his service ; and in case any of the particulars entered or indorsed upon the licence are erased or defaced, the licence is wholly void.
- Order 22. Such a licence may, in the discretion of a justice of the peace be revoked or suspended by any justice of the peace before whom any driver or conductor is convicted of any offence under any Act, and such justice may for that purpose require the proprietor, driver, or conductor, who possesses the licence and the ticket thereto belonging, to deliver them up under a penalty of five pounds in case of neglect or refusal. The justice is to send the licence and ticket to the Commissioner, who is to cancel the licence if revoked, or if suspended is, at the end of the time for which it has been suspended, to re-deliver the licence with the ticket to the person to whom it was granted.
- Order 23. The licence may also be revoked or suspended by the justice for a breach of the Order.
- 6 & 7 Vict. c. 86, s. 14. Requisition for licence. The licence may be revoked by the Commissioner if in his opinion the driver or conductor has been guilty of misconduct or cannot exercise his calling without risk to the public.
- 6 & 7 Vict. c. 86, s. 14. Requisition for licence. Before any such licence is granted the applicant must make and sign a requisition in such form as the Commissioner may appoint.

In every such requisition all such particulars as the Commissioner requires must be truly set forth; and every person applying for or attempting to procure such licence who makes or causes to be made any false representation in regard to any of the said particulars, or who endeavours to obtain a licence by any forged recommendation, or who does not truly answer all questions which are demanded of him in relation to the application for a licence, and also every person to whom reference shall be made who, in regard to such application, wilfully and knowingly makes any misrepresentation, is liable to a penalty of five pounds.

False representation in requisition.

As often as any driver or conductor changes his place of abode, he must within two days, give notice in writing signed by him to the Commissioner, specifying his new place of abode, and must at the same time produce his licence to the Commissioner, who will indorse thereon a memorandum specifying the particulars of such change. [Penalty, twenty shillings.]

Ibid. s. 15.
Notice of change of abode.

Every licensed driver and conductor must at all times during his employment, and when required to attend before any justice, wear his ticket conspicuously upon his breast, in such manner that the whole of the writing thereon shall be distinctly legible, and must when required produce it for inspection, and permit any person to note the writing thereon. [Penalty, forty shillings.]

Ibid., s. 17.
Badge must be worn during employment.

Upon the expiration of his licence every driver or conductor must within three days deliver his licence and metal ticket to the Commissioner [penalty, five pounds]; and no person may use or wear or detain any ticket without having a licence in force relating thereto, nor, for the purpose of deception, use or wear or have any ticket resembling or intended to resemble any ticket granted under lawful authority. [Penalty, five pounds.] Any constable or peace officer, or any person employed for that purpose by the Commissioner, may seize and take away any such ticket, wheresoever found, in order to deliver it to the Commissioner.

6 & 7 Vict. c. 86, s. 18.
Licence and badge must be delivered up on expiration of licence.
Prohibition against using false ticket.

Whenever the writing on any ticket is obliterated or defaced so as not to be distinctly legible, or any ticket is proved to the satisfaction of the Commissioner to have been lost or mislaid, the grantee of the licence relating to such ticket must deliver the ticket (if in his possession) and produce the licence to the Commissioner, and will then be entitled to a new ticket upon payment of a sum not exceeding three shillings. But if any ticket proved or represented to have been lost or mislaid is afterwards found it must forthwith be delivered to the Commissioner [penalty, forty shillings]; and every person into whose possession it shall come who refuses or neglects for three days to deliver it to the Commissioner, and every licensed person who uses or wears the ticket granted to him after the writing thereon is obliterated, defaced, or obscured, so as not to be distinctly legible, is liable to a penalty of forty shillings.

Ibid., s. 19.
New tickets to be delivered in the place of defaced or lost tickets.
Refusal to deliver up ticket supposed to have been lost.
Prohibition against using defaced ticket.

Every person who forges or counterfeits or causes or procures to be forged or counterfeited any such licence or ticket, or who sells or exchanges, or exposes to sale or utters any such forged or counterfeited licence or ticket, or who knowingly and without lawful excuse (the proof whereof shall lie on the person accused) has or is possessed of such forged or counterfeited licence or ticket, knowing the same to be forged or counterfeited, or who knowingly and wilfully aids and

Ibid., s. 20.
Forgery of licence or ticket, selling or uttering forged licence or ticket.

abets any person in committing any such offence as aforesaid, is guilty of a misdemeanour.

Constable,
&c., may
seize licence
or ticket.

Any person may detain such licence or ticket, and any constable or peace officer, or person employed for the purpose by the Commissioner, may seize and take it away, in order that it may be produced in evidence against the offender, or be disposed of as the Commissioner thinks proper.

VI.—CAB DRIVERS—DUTIES—PENALTIES.*

Every cab driver must be licensed [penalty, see p. 8], and must conform to the rules and regulations set forth in the preceding Part V.

Order.
Para. 26.

Carrying greater number of persons than cab licensed to carry. [Penalty, forty shillings.]

(One child or two children under ten years count as one person.)

Order.
Para. 28.

Driver, if required, to deliver a ticket to the hirer. [Penalty, forty shillings.]

Order.
Para. 30
& 31.

Driver to deliver up lost property found in his cab to police station. [Penalty, forty shillings.] A heavier penalty of £10 is imposed for breach of this duty, by 16 & 17 Vict. c. 33, s. 11.

Order.
Para. 32.

Lamps to be carried at night. Details of lighting required are set forth in Part XV, Order, Para. 32 and footnote.

Order.
Para. 33.
30 & 31 Vict.
s. 9, c. 134.
s. 17.

No carriage plate or mark on carriage to be concealed, removed, altered, obliterated or counterfeited, and no unauthorized use of such plate or mark to be made. [Penalty, forty shillings.]

Order.
Para. 34.

Driver may not drive carriage of a type other than that for which he is licensed. [Penalty, forty shillings.]

Order.
Para. 36.

Driver to have official copy of his licence with him and to produce it on demand to authorized police officer. [Penalty, forty shillings.]

Order.
Para. 38.

Every motor cab must be fitted with a taximeter.

Order.
Para. 46.

Seal or mark of taximeter or taximeter itself not to be tampered with. [Penalty, forty shillings.]

Order.
Para. 47 &
48.

Taximeter to be set in motion as soon as cab is hired and no sooner, and upon termination of hiring to be stopped. [Penalty, forty shillings.]

6 & 7 Vict.
c. 86, s. 27.

Suffering any other person to act as driver without proprietor's consent. [Penalty, forty shillings.]

Acting with-
out proprie-
tor's consent.

Every person, whether licensed or not, acting as driver without proprietor's consent is liable to penalty of forty shillings.

Any driver charged with suffering another person to drive without proprietor's consent and (if required by a justice of the peace so to do) not truly making known the name and place of abode of such other person and the number of such person's ticket (if licensed) is liable to penalty of forty shillings.

* The maximum penalty is given. So large a penalty need not necessarily be imposed.

Any police constable may, without any warrant for that purpose, take into custody any person unlawfully acting as driver and convey him before a justice to be dealt with according to law, and if necessary may take charge of the cab or carriage and every horse in charge of such person and deposit the same in some place of safe custody until applied for by the proprietor.

Constables may arrest and take carriage and horses.

Any driver who is guilty of wanton or furious driving or who by carelessness or wilful misbehaviour causes hurt or damage to any person or property in any street or highway or who is drunk during his employment or who shall make use of any insulting or abusive language or any insulting gesture or any misbehaviour shall for every offence forfeit three pounds or at the discretion of a justice may be imprisoned for two months.

6 & 7 Vict. c. 86, s. 28. Misbehaviour.

[These offences are also dealt with by 1 & 2 Will. 4, c. 22, s. 56, and a penalty of five pounds imposed.]

Note.—A sum not exceeding ten pounds may be awarded as compensation for hurt or damage and the proprietor may be ordered to pay it, but he may recover the same in a summary manner from the driver.

Obstructing or assaulting police or other officer in execution of his duty. Penalty, five pounds or imprisonment.

1 & 2 Will. 4, c. 22, s. 56.

Refusing to be hired (see Part VII).

Plying for hire elsewhere than at some standing or place appointed for that purpose. [Penalty, twenty shillings.]

6 & 7 Vict. c. 86, s. 33.

Causing obstruction in any public street, road, or place by loitering or wilful misbehaviour. [Penalty, twenty shillings.]

Causing obstruction, &c.

Allowing any person besides himself, not being the hirer or a person employed by such hirer, to ride on the driving box of his carriage, whether hired or unhired. [Penalty, twenty shillings.]

Allowing another to ride on driving box.

The driver of a motor cab must not allow any other person (not even the hirer) to be with him on the driving box. [Penalty, forty shillings.]

Order 27.

[Neglecting or refusing to hold the check string or wire in his hand during the time of his driving any person in the carriage, so that it may be used for the accommodation of such person.] [Penalty, twenty shillings.]

1 & 2 Will. 4, c. 22, s. 48.

Permitting or suffering any person to ride or be carried in, upon, or about a hired carriage without the express consent of the hirer. [Penalty, twenty shillings.]

Ibid., s. 50. Permitting person on carriage.

Standing or plying for hire with a hackney carriage, or suffering it to stand across any street or common passage or alley, or alongside of any other hackney carriage, or two in a breadth, or within eight feet of the kerbstone of the pavement of any street or common passage or alley. [Penalty, twenty shillings.]

Ibid., s. 51. Obstructing traffic.

Feeding the horses of a hackney carriage in any street, road, or common passage except with corn out of a bag, or with hay held or delivered with the hand. [Penalty, twenty shillings.]

Ibid., Feeding horse in street, &c.

Ibid.,
Refusing to give way.
Refusing to give way, if he conveniently can, to any private coach or other carriage. [Penalty, twenty shillings.]

Ibid.,
Obstructing a driver from taking up, &c.
Obstructing or hindering the driver of any other hackney carriage in taking up or setting down any person into or from such other hackney carriage. [Penalty, twenty shillings.]

Ibid.,
Taking away fare.
Wrongfully, in a forcible or clandestine manner, taking away the fare from any other driver, who in the judgment of any justice before whom any complaint for such offence is heard, appears to be fairly entitled to it. [Penalty, twenty shillings.]

Ibid., s. 55.
Leaving carriage unattended.
If a driver leaves his carriage unattended in any street or road, or at any place of public resort or entertainment, whether such carriage be hired or not, he is liable to a penalty of twenty shillings; and any officer of police, or other peace officer, may drive away such carriage and deposit it, with the horse or horses belonging or harnessed thereto, at some neighbouring livery stables or other place of safe custody.

16 & 17 Vict.
c. 33. s. 17.
Demanding or taking more than legal fare. [Penalty, forty shillings.]

Refusing to carry, &c.
Refusing to carry the number of passengers painted on his carriage or specified in the proprietor's licence for the carriage. [Penalty, forty shillings.]

Refusing to carry a reasonable quantity of luggage. [Penalty, forty shillings.]

Refusing to drive as required to any place in London and within six miles, or refusing to drive for a period not exceeding one hour, or refusing to drive at a proper speed not less than six miles per hour (except when hired by time). [Penalty, forty shillings.]

Unfit carriage.
Plying for hire with carriage or horse unfit for public use. [Penalty, forty shillings.]

8 Edw. 7,
c. 48, s. 68.
Permitting carriage to stand or ply for hire opposite the General Post Office. [Penalty, five pounds.]

Regulations for cabs at standings, see Part XIX. Regulations as to taking up and setting down persons at public places, see Part XVIII.

VII.—HIRING, BILKING.

The sections of the Acts which control “plying for hire” are set forth *in extenso* as follows :—

35. Every hackney carriage which shall be found standing in any street or place, and having thereon any of the numbered plates required by this Act to be fixed on hackney carriages, shall, unless actually hired, be deemed to be plying for hire, although such hackney carriage shall not be on any standing or place usually appropriated for the purpose of hackney carriages standing or plying for hire; and the driver of every such hackney carriage which shall not be actually hired shall be obliged and compellable to go with any person desirous of hiring such hackney carriage; and upon the hearing of any complaint against the driver of any such hackney carriage for any such refusal, such driver shall be obliged to adduce evidence of having been and of being actually hired at the time of such refusal, and in case such driver shall fail to produce sufficient evidence of having been and of being so hired as aforesaid, he shall forfeit forty shillings, 1 & 2 Will. 4, c. 22 (1831).

Hackney carriages standing in any street to be deemed to be plying for hire, and the driver thereof refusing to go.

36. Provided always, if the driver of any hackney carriage shall in civil and explicit terms declare to any person desirous to hire such hackney carriage that it is actually hired, and shall afterwards, notwithstanding such reply, be summoned to answer for his refusal to carry such person in his said hackney carriage, and shall upon the hearing of the complaint produce sufficient evidence to prove that such hackney carriage was at the time actually and *bonâ fide* hired, and it shall not appear that he used uncivil language, or that he improperly conducted himself towards the party by whom he shall be so summoned, the justice before whom such complaint shall be heard shall order the person who shall have summoned such driver to make to him such compensation for his loss of time in attending to make his defence to such complaint as such justice shall deem reasonable, and in default of payment thereof to commit such person to prison for any time not exceeding one calendar month, unless the same shall be sooner paid.

Compensation to be made to drivers improperly summoned for refusing to carry any person.

33. Every driver of a hackney carriage who shall ply for hire elsewhere than at some standing or place appointed for that purpose, or who by loitering or by any wilful misbehaviour shall cause any obstruction in or upon any public street, road, or place, and also every driver or conductor of any metropolitan stage carriage who by loitering or any wilful misbehaviour shall cause any obstruction in or upon any public street, road or place, or shall improperly delay such carriage on any journey, or wilfully deceive any person in respect to the route or destination thereof, or who shall refuse to admit and carry at the lawful fare any passenger for whom there is room, and to whose admission no reasonable objection is made or who shall demand more than the legal fare for any passenger, or who, for the purpose of taking up or setting down a passenger, or, except in case of accident or other unavoidable necessity shall stop such carriage opposite to the end of any street, or upon any place where foot passengers usually cross the carriageway, or who shall ply for hire or passengers by blowing a horn, or by using any other noisy instrument within the limits of the metropolis as defined by the [London Hackney Carriage Act, 1831], and every conductor of a metropolitan stage carriage who shall allow any person beside himself to ride upon the steps or in the place provided for him, and every driver of a hackney carriage, whether hired or unhired, allowing any person besides himself, not being the hirer or a person employed by such hirer, to ride on the driving box, and every driver or conductor of any metropolitan stage carriage who shall smoke whilst acting in such capacity, after an objection taken by any person riding in or upon such carriage, shall for every such offence forfeit the sum of twenty shillings.

6 & 7 Vict. c. 86. Penalty on drivers of hackney carriages, or drivers or conductors of Metropolitan stage carriages, for loitering or causing any obstruction, or plying for hire by making any noise, &c.

7. The driver of every hackney carriage which shall ply for hire at any place within the limits of this Act shall (unless such driver have a reasonable excuse, to be allowed by the justice before whom the matter shall be brought in question) drive such hackney carriage to any place to which he shall be required by the hirer thereof to drive the same, not exceeding six miles from the place where the same shall have been hired, or for any time not exceeding one hour from the time when hired: Provided always, that when any hackney carriage shall have been hired by time, the driver thereof may be required to drive at any rate not exceeding four miles within one hour, and if the driver

16 & 17 Vict. c. 33 (1853). Distance drivers of hackney carriages shall be required to drive.

of such carriage shall be required to drive more than four miles within one hour, then in every such case the driver thereof shall be entitled to demand, in addition to the fare regulated by time . . . for every mile or any part thereof exceeding four miles, the fare regulated by distance.

16 & 17 Vict.
c. 33.

Drivers of
hackney
carriages
liable to
penalties for
offences
herein
named.

17. The driver of any hackney carriage, who shall commit any of the following offences within the limits of this Act, shall be liable to a penalty not exceeding forty shillings for each offence, or in default of payment to imprisonment. . . .

1. Every driver of a hackney carriage who shall demand or take more than the proper fare, or who shall refuse to admit and carry in his carriage the number of persons painted or marked on such carriage or specified in the certificate granted by the said Commissioners of Police in respect of such carriage, or who shall refuse to carry by his carriage a reasonable quantity of luggage for any person hiring or intending to hire such carriage :
2. Every driver of a hackney carriage who shall refuse to drive such carriage to any place within the limits of this Act, not exceeding six miles, to which he shall be required to drive any person hiring or intending to hire such carriage, or who shall refuse to drive any such carriage for any time not exceeding one hour, if so required by any person hiring or intending to hire such carriage, or who shall not drive the same at a reasonable and proper speed, not less than six miles an hour, except in cases of unavoidable delay, or when required by the hirer thereof to drive at any slower pace :
3. Every driver of a hackney carriage who shall ply for hire with any carriage or horse which shall be at the time unfit for public use. . . .

16 & 17 Vict.
c. 33.

A driver is compellable to drive to a place whether public or private and which is within London and within six miles of the starting place.

Order 43.

Driver need not drive for more than six miles, if by distance, or more than one hour if by time. Driver is liable to a penalty of forty shillings if he refuse to drive within these limits.

16 & 17 Vict.
c. 33, Sch. A.

A driver is not compelled to hire his carriage according to time between 8 p.m. and 6 a.m.

Ibid., s. 9.

If required by the hirer, he must carry the number of persons painted on his carriage or any less number, but must not carry more than his licensed number (for this purpose two children under ten years of age are to count as one person) ; must not permit any person to be carried upon the carriage without hirer's consent ; he must not demand or take more than the proper fare, and must carry a reasonable quantity of luggage for any person hiring or intending to hire the carriage. [Penalty, forty shillings.]

Order 26.
1 & 2 Will. 4,
c. 22, s. 50 ;
6 & 7 Vict.
c. 86, s. 33.
16 & 17 Vict.
c. 33, ss. 10,
17 (1).

Order 39.

Hiring of cab without a taximeter shall be by distance unless hirer expresses it to be by time at commencement of hiring.

Order 41.
Luggage.

The driver need not record extra charges (luggage, more than two persons, etc.) on the taximeter.

Order 44.

Certain rights in unclaimed lost property are given to the driver.

16 & 17 Vict.
c. 33, Sch. A.

When a cab is drawn by two horses, one-third more than the ordinary fare for time or distance is to be paid.

Order 28.

The driver of a cab must if so required deliver to the hirer a ticket.

1 & 2 Will. 4,
c. 22, s. 37.

If a driver ply on Sunday he is subject to the same regulations as on any other day.

Provisions for extra payments for periods of waiting are made in the Order, Schedule I. The payments refer to cabs not fitted with taximeters recording by a combination of time and distance and are to be made for each completed period of fifteen minutes. Order 42.
Waiting.

Driver may demand a reasonable sum as deposit beyond his fare if required to wait, to be accounted for when finally discharged : he must then wait for a time for which the deposit would be reasonable compensation, and not leave or permit carriage to be removed. Penalty for breach, or for refusing to account for the deposit, forty shillings. 1 & 2 Will. 4,
s. 47.

Agreement to pay *more* than legal fare is not binding, and any sum paid beyond the fare may be recovered : penalty not exceeding forty shillings (or in default one month) ; but if the driver agree beforehand to take for any job *less* than his legal fare he cannot exact more ; and if he demand or exact more he is liable to a penalty of forty shillings. He may be required to drive for a stated sum a distance in his discretion, and cannot charge more if he exceed the distance to which the hirer was entitled to be driven for such sum ; and if he demand or exact more he is liable to a penalty of forty shillings. Driver must not demand or receive any sum by way of back fare. Ibid., s. 43.
Special
agreements.
Ibid., s. 45.
Ibid., s. 44.
16 & 17 Vict.
c. 33, s. 4.

Driver must have with him at all times when plying for hire, a book or table of fares in such form as is directed by the Commissioner, and produce it when required by any person hiring or intending to hire his carriage. In case of dispute as to a fare to be calculated according to distance, any table or book signed by the Commissioner is, on proof of signature, conclusive evidence of all the distances stated therein to have been measured by his authority. 16 & 17 Vict.
c. 33, s. 5.
Fare book.
Ibid., s. 6.

The cab fares are set forth in Part XV, Schedules I, K, L of the Order. The Stage Carriage Fares are dealt with on p. 9.

BILKING BY HIRER.

If hirer refuse to pay the fare, or deface or injure the carriage, he may be summoned, and the justice may award reasonable satisfaction to the complainant for his fare or for his damages, or for his loss of time, and in default of payment may commit the offender to prison for one calendar month with or without hard labour. Such complaint must be made within seven days. 1 & 2 Will. 4,
c. 22, s. 41.
Hirer refusing to pay.
6 & 7 Vict.
c. 86, s. 38.

Any person hiring cab having reason to believe that he cannot pay the fare, or with intent to avoid payment of fare, or fraudulently endeavouring to avoid payment, or having failed or refused to pay, refusing to give his address, or giving false address is liable, in addition to fare, to a penalty of forty shillings or fourteen days. The whole or part of the fine may be given as compensation to the driver. 59 & 60 Vict.
c. 27 s. 1.
Bilking.

Police magistrates may hear and determine disputes, offences, &c. Outside a police court district cases are to be heard by two justices ; cases arising in the City of London may be heard by one justice for the City, or by a Metropolitan Police magistrate sitting at Bow Street. 6 & 7 Vict.
c. 86, ss. 36,
39.
16 & 17 Vict.
c. 33, s. 18.

Refusal to pay fare by passengers in tramcars (see *post*. Part XII).

VIII.—RAILWAY STATIONS—PRIVILEGED CAB SYSTEM.

As to plying for hire in railway stations, see p. 9.

No privileged cab system is allowed in the following railway stations.

(N.B.—Stations may be added to or taken from the following list by order of the Secretary of State.)

LIST OF RAILWAY STATIONS AT WHICH THE PRIVILEGE CAB SYSTEM IS NOT IN FORCE.

Railway.	Station.	Date of Secretary of State's Order.
Great Central Railway ..	Marylebone	5th Dec., 1907.
Great Eastern Railway ..	Liverpool Street	"
	Fenchurch Street	"
	Stoke Newington	19th Feb., 1915.
Great Northern Railway ..	Kings Cross	5th Dec., 1907.
Great Western Railway ..	Paddington	"
London & North-Western Railway	Euston	"
	Addison Road	20th Dec., 1911.
London & South-Western Railway.	Waterloo	5th Dec., 1907.
	Vauxhall	"
	Clapham Junction	"
	Wimbledon	15th Mar., 1912.
	Richmond	18th Dec., 1912.
London & Brighton & South Coast Railway.	Victoria	5th Dec., 1907.
	London Bridge	"
	Clapham Junction	4th May, 1908.
	Balham	26th June, 1913.
	Sutton	16th Dec., 1914.
	West Croydon	3rd Oct., 1916.
	East Croydon	7th June, 1921.
Metropolitan Railway ..	Hammersmith	19th Mar., 1913.
Midland Railway	St. Pancras	5th Dec., 1907.
North London Railway ..	All stations.	6th Dec., 1907.
South-Eastern & Chatham Railway.	Victoria	5th Dec., 1907.
	Charing Cross	"
	London Bridge	"
	Cannon Street	"
	Holborn Viaduct	"
	Ludgate Hill	"
	Woolwich Arsenal	9th Oct., 1909.
	Beckenham	13th Jan., 1912.
	Blackheath	13th June, 1912.
	Lewisham	7th Oct., 1912.
	East Croydon	7th June, 1921.

The Secretary of State may at any time make Orders for specific stations as to fees to be charged to cabs for admission and allowing or disallowing privileged cab system at that station.

IX.—STAGE CARRIAGE DRIVERS' AND CONDUCTORS' DUTIES AND PENALTIES.*

Every driver and conductor must be licensed (penalty see p. 8), and must conform to the rules and regulations set forth in Section V.

Duty of conductor (or driver) to deliver up lost property found in the stage carriage to a police station. [Penalty, forty shillings.] (See also 16 & 17 Vict. c. 33, s. 11, which imposes fine of ten pounds for failure in this duty.)

Order.
Para. 30, 31.
Lost
property.

No carriage plate or mark on carriage to be concealed, removed, altered or obliterated. [Penalty, forty shillings.]

Order.
Para. 33.

Driver may not drive carriage of a type other than that for which he is licensed. [Penalty, forty shillings.]

Order.
Para. 34.

A person under 20 years of age shall not be employed as an assistant to a conductor unless a fully licensed conductor is in charge.

Order.
Para. 35.

Driver or conductor to have the official copy of his licence with him and produce it on demand to authorised police officer. [Penalty, forty shillings.]

Order.
Para. 36.

Suffering any other person to act as driver without proprietor's consent. [Penalty, forty shillings.] [2 & 3 Will. 4., c. 120. s. 47, deals with same offence in the case of horse drawn stage carriages, see p. 25.]

6 & 7 Vict.
c. 86, s. 27.
Acting
without
proprietor's
consent.

Every person whether licensed or not acting as driver without proprietor's consent is liable to a penalty of forty shillings.

Any driver charged with suffering another person to drive without proprietor's consent and (if required by a justice of the peace so to do) not truly making known the name and place of abode of such other person and the number of such person's ticket (if licensed) is liable to a penalty of forty shillings.

Any police constable may, without any warrant for that purpose, take into custody any person unlawfully acting as driver and convey him before a justice to be dealt with according to law and if necessary may take charge of any stage carriage and every horse in charge of such person and deposit the same in some place of safe custody until applied for by the proprietor.

Constables
may arrest
and take
carriage and
horses.

Any driver or conductor who is guilty of wanton or furious driving or who, by carelessness or wilful misbehaviour, causes hurt or damage to any person or property in any street or highway, or who is drunk during his employment or who shall make use of any insulting or abusive language or any insulting gesture or any misbehaviour shall for every offence forfeit three pounds or at the discretion of a justice may be imprisoned for two months. [These offences are also dealt with by 2 & 3 Will. 4, c. 120, s. 47 & 48, and a penalty of five pounds imposed, but section 47 is directed particularly to horse drawn vehicles.]

6 & 7 Vict.
c. 86, s. 28.
Misbeha-
viour.

Note.—A sum of not exceeding ten pounds may be awarded as compensation for hurt or damage, and the proprietor may be ordered to pay it, but he may recover the same in a summary manner from the driver.

6 & 7 Vict.
c. 86, s. 28.

The conductor is not to allow persons to ride on the steps or the place provided for him.

Ibid., s. 33.

* The maximum penalty is given. So large a penalty need not necessarily be imposed.

2 & 3 Will. 4, c. 120, ss. 37, 43, 47. No stage carriage is allowed to carry an excessive amount of luggage. A driver or conductor must not neglect to take due care of luggage carried or to be carried by his carriage. [Penalty five pounds.]

5 & 6 Vict. c. 79, s. 13. By the Railway Passenger Duty Act, 1842, it is provided that no stage carriage may carry at one time a greater number of passengers than such carriage is constructed to carry. The number fixed must allow for fit and proper seats of an average of sixteen inches in a straight line lengthways per passenger.

Section 14. The proprietor is bound to have such number painted up in the carriage.

Section 15. A driver or conductor who allows more passengers to be conveyed than the number allowed by the above regulation or than the number

Section 18. painted up in the carriage shall forfeit the sum of five pounds. Either the driver or conductor may be prosecuted, but not both.

2 & 3 Will. 4, c. 120, s. 45. A constable or passenger may stop a stage carriage so that passengers may be counted and the luggage measured. [Penalty for refusing to stop, five pounds.]

5 & 6 Vict. c. 79, s. 16. A constable or passenger may measure the seats to determine how many passengers the carriage is constructed to carry. [Penalty for hindering, five pounds.]

Section 13. A child of under five years sitting in the lap is not a passenger within the meaning of the Railway Passenger Duty Act.

Information must be exhibited or complaint made within ten days after an offence under the Railway Passenger Duty Act has been committed.

L.C.C. Tramways and Improvements Act, 1913, s. 27. There is power to overload certain tramways on special occasions, e.g., L.C.C. Tramways on Saturday afternoons, Sundays and holidays, may take one-third more passengers in lower saloon of car.

30 & 31 Vict. c. 134, s. 8. Stopping to take up, &c. Driver stopping carriage for the purpose of taking up or setting down passengers at any part of a street except as near as may be to the left or near side of the road, within the six-mile radius from Charing Cross. [Penalty, forty shillings.]

Ibid., s. 14. Taking up &c., at prohibited places. Driver or conductor taking up or setting down passengers at any place prohibited by regulation of the Commissioner, and within the special limits of the Metropolitan Streets Act, 1867. [Penalty, forty shillings.]

Ibid., s. 12. For wilful breach of traffic regulations of Commissioner of Police the penalty is forty shillings.

33 & 34 Vict. c. 78, s. 46. (Byelaw.) Driver of omnibus or other stage carriage other than a carriage using a tramway stopping to take up or set down passengers on a road with tramway lines except as close to the kerb as possible. [Penalty, forty shillings.]

16 & 17 Vict. c. 33, ss. 14, 19. Lamp inside carriage. Conductor, or driver if there be no conductor, not keeping a lamp inside the carriage properly lighted whenever the carriage is used to ply for hire, or to carry passengers, at any time after sunset and before sunrise. [Penalty, forty shillings.]

2 & 3 Will. 4, c. 120, s. 47. Quitting box, &c. Driver of a stage carriage drawn by three or more horses quitting the box where the carriage stops without delivering the reins into some fit person's hands, or before some fit person is at the horses' heads. [Penalty, five pounds.]

Driver quitting the box without reasonable occasion, or for longer than the occasion requires. [Penalty, five pounds.]

Driver permitting a passenger or any person other than himself to drive the horses of a stage carriage. [Penalty, five pounds.]

Permitting other person to drive.

Driver or conductor demanding or receiving for any passenger's fare more than the passenger is liable to pay or more than the money properly chargeable for the carriage of any luggage. [Penalty, five pounds.] By 6 & 7 Vict. c. 86, s. 33, the offence of demanding more than legal fare is punishable by penalty of twenty shillings.

Demanding more than fare.

Driver or conductor neglecting or refusing to account to his employer for moneys received in respect of passengers or luggage. [Penalty, five pounds.]

Neglecting to account.

Driver or conductor assaulting or using abusive or insulting language to any person travelling or about to travel, or having travelled as a passenger, or to any person accompanying or attending upon any such passenger. [Penalty, five pounds.]

Assaulting or abusing passenger.

Driver or conductor wilfully disregarding or not conforming himself to the regulations of the Commissioner [or The Lord Mayor and Aldermen of the City of London] for enforcing order at places where metropolitan stage carriages call or ply for passengers, and for fixing the time during which such carriage shall be allowed to remain at any such place. [Penalty, forty shillings.]

6 & 7 Vict. c. 86, ss. 29, 32.
Disregarding regulations.

Driver or conductor disobeying Order of Commissioner with regard to stopping places.

7 Edw. 7. c. 55, s. 4.

Driver or conductor smoking after objection taken by any person riding in or upon the carriage. [Penalty, twenty shillings.]

6 & 7 Vict. c. 86, s. 33.

Driver or conductor causing obstruction in any public street, road, or place by loitering or wilful misbehaviour. [Penalty, twenty shillings.]

Smoking.
Loitering,
&c.

Improperly delaying the carriage on any journey. [Penalty, twenty shillings.]

Delay.

Wilfully deceiving any person in respect to the route or destination of the carriage. [Penalty, twenty shillings.]

Deceiving as to route.

Refusing to admit and carry at the lawful fare any passenger for whom there is room and to whose admission no reasonable objection is made. [Penalty, twenty shillings.]

Refusing to admit passenger.

Stopping the carriage opposite to the end of any street, or upon any place where foot passengers usually cross the carriageway, for the purpose of taking up or setting down a passenger, or except in case of accident or other unavoidable necessity. [Penalty, twenty shillings.]

Stopping opposite to end of street, &c.

Plying for hire or passengers by blowing a horn, or using any other noisy instrument, within three miles measured from the General Post Office. [Penalty, twenty shillings.]

Blowing horn, &c.

X. LEGAL PROCEEDINGS. PROPRIETORS—DRIVERS—CONDUCTORS.

32 & 33 Vict.
c. 115, s. 13.

Penalties under the Act and the Order may be recovered summarily as directed by 11 & 12 Vict. c. 43.

6 & 7 Vict.
c. 86, s. 22.
Justices may
determine
complaints
between
proprietors,
drivers, and
conductors.

Any justice may hear and determine complaints between proprietors and drivers or conductors and order payment of money due for wages or earnings or on account of deposit of money, or as compensation to proprietor in respect of damage or loss to his property, through driver's or conductor's neglect or default, or in respect of money which the proprietor may have been ordered to pay by a justice on account of his driver's or conductor's negligence or wilful misconduct, and to order such compensation to either party in respect of any other matter of complaint between them as to the justice may seem proper.

Ibid., s. 23.
No payment
for earnings
can be en-
forced unless
under written
agreement.

No payment of money claimed from a driver or conductor by a proprietor on account of the earnings of a hackney carriage or metropolitan stage carriage can be enforced unless under *an agreement in writing*, signed by such driver or conductor in the presence of a competent witness. No such agreement is liable to stamp duty.

Ibid., s. 35.
Proprietors
may be
summoned
to appear
and produce
the driver or
conductor.

When any complaint is made before any justice against the driver of a hackney carriage or the driver or conductor of a metropolitan stage carriage, for any offence committed by him against the London Hackney Carriage Acts (1 & 2 Will. 4, c. 22, 6 & 7 Vict. c. 86, 13 & 14 Vict. c. 7, & 16 & 17 Vict. c. 33), it shall be lawful for such justice, if he think proper, forthwith to summon the proprietor of such carriage to produce before him, or such other justice as shall be then present, such driver or conductor to answer such complaint;

Justice may
proceed in
driver's or
conductor's
absence.

and in case such proprietor, after being duly summoned, fail to produce the driver or conductor, it shall be lawful for the justice before whom such driver or conductor should be produced (if he think fit) to proceed, in the absence of such driver or conductor, to hear and determine the case in the same manner as if he had been produced, and to adjudge payment by the proprietor of any penalty or sum of money and costs in which the driver shall be convicted;

Proprietor
may recover
money paid
for driver's
or conduc-
tor's default.

and any sum of money so paid by the proprietor shall be recovered in a summary way from the driver or conductor by whose default such sum has been paid, upon proof of payment thereof, pursuant to the order of the justice, and upon proof of service of the notice hereinafter mentioned;

In case of
proprietor's
failing to
produce
driver or
conductor.

provided always, that if the justice deem it proper, it shall be lawful for him when such proprietor fails to produce his driver or conductor without satisfactory excuse, allowed by such justice, to impose a fine of forty shillings, upon such proprietor, and so from time to time, as often as he is summoned in respect of such complaint until he produce his driver or conductor;

Proprietor to
give driver
or conductor
notice.

and every proprietor so summoned to produce his driver or conductor shall cause to be given to such driver or conductor, or to be left at the abode specified in his licence, or (if such licence expire after the offence committed and before the hearing of the complaint) at his usual place of abode, a written notice of the time and place when and where such driver or conductor is required to attend; and if such driver or conductor do not attend according to such notice, it shall be lawful for a justice to issue a warrant for his apprehension;

and if after such notice any driver or conductor, without a reasonable excuse, to be allowed by the justice, neglect or refuse to attend at the time and place therein mentioned, or (having previously left the service of the proprietor so summoned as aforesaid) do not at the time and place of his attendance produce his licence, he shall forfeit forty shillings, and so from time to time as often as he so neglects or refuses.

Driver's or conductor's neglect to attend or produce licence.

Complaints under the provisions of 1 & 2 Will. 4, c. 22, 6 & 7 Vict. c. 86, 13 & 14 Vict. c. 7, 16 & 17 Vict. c. 33, or of the orders and regulations made in pursuance of either of them, or where some other time of limitation is specially provided, must be made within *seven days* next after the day on which the cause of complaint has arisen.

Ibid., s. 38. Complaints to be made within seven days after cause arises.

Penalties may be adjudged to be paid by instalments, and imprisonment may be imposed in default.

Ibid., s. 39.

For the purpose of serving summonses and other notices required by 1 & 2 Will. 4, c. 22, and 6 & 7 Vict. c. 86, the usual place of abode of any driver or conductor, or of any person who, having been licensed as a driver or conductor, has neglected to return his metal ticket (or badge) at the expiration of his licence, shall be deemed to be the place specified in the licence;

Ibid., s. 41. Service of summonses and other notices.

and it shall be lawful for any justice in all cases, upon any complaint in respect of any matter within the meaning of those Acts, or of the orders and regulations made in pursuance thereof, to issue his summons to require attendance before the said justice, or any other justice;

Issue of summons.

and every summons or other notice required by those Acts shall be deemed to be duly served, provided the same, or a copy thereof, be either personally served or left at the usual place of abode of the party to whom it is directed, or if he be a party licensed by the Commissioner, then at the place of abode specified in his licence.

Service.

Penalty of five pounds on witnesses refusing to attend or to give evidence.

Ibid., s. 42.

Where there is more than one proprietor of a hackney carriage or metropolitan stage carriage it is sufficient to name one of such proprietors, and to describe and proceed against him as if he were the sole proprietor.

Ibid., s. 44. Several proprietors.

Penalties for offences against the London Hackney Carriage Act, 1831, incurred by the driver and if not paid by him, may be recovered from the proprietor, who in turn may recover the amount summarily from the driver.

1 & 2 Will. 4, c. 22, ss. 27, 28.

A magistrate may order compensation to be paid to drivers for loss of time by persons who have brought complaints against them which have not been substantiated.

Ibid., ss. 36, 41, 57.

N.B.—All proceedings, whether under informations or complaints, including imprisonment in default of payment, are now regulated by the Summary Jurisdiction Act, 1879, 42 & 43 Vict. c. 49.

Summary proceedings.

As regards imprisonment in default of payment, the 5th section of that Act enacts that :—

The period of imprisonment imposed by a court of summary jurisdiction under this Act, or under any other Act, whether past or future, in respect of the non-payment of any sum of money adjudged to be paid by a conviction or, in respect of the default of a sufficient distress to satisfy any such sum, shall, notwithstanding any enactment to the

Scale of imprisonment for non-payment of money.

contrary in any past Act, be such period as in the opinion of the court will satisfy the justice of the case, but shall not exceed in any case the maximum fixed by the following scale ; that is to say—

Where the amount of the sum or sums of money adjudged to be paid by a conviction, as ascertained by the conviction	The said period shall not exceed
Does not exceed ten shillings	Seven days.
Exceeds ten shillings, but does not exceed one pound	Fourteen days.
Exceeds one pound, but does not exceed five pounds	One month.
Exceeds five pounds, but does not exceed twenty pounds	Two months.
Exceeds twenty pounds	Three months.

and such imprisonment shall be without hard labour, except where hard labour is authorized by the Act on which the conviction is founded, in which case the imprisonment may, if the court thinks the justice of the case requires it, be with hard labour, so that the term of hard labour awarded do not exceed the term authorized by the said act.

11 & 12 Vict.
c. 43, s. 5.
aiders and
abettors.

Every person who aids, abets, counsels, or procures the commission of any offence punishable on summary conviction may be proceeded against and is liable to the same penalties as if he were a principal. Such person may be proceeded against either in the place where the principal offender may be convicted or in the place where such offence of aiding &c., may have been committed.

6 & 7 Vict.
c. 86, s. 7.

Stage carriage drivers and conductors may recover fares in summary way before justice.

6 & 7 Vict.
c. 86, s. 21.
Indorse-
ment of
licence.

If a driver or conductor is adjudged guilty of an offence the justice of the peace before whom he shall be convicted shall indorse upon his licence the nature of the offence and the amount of the penalty inflicted.

XI.—LOST PROPERTY.

STAGE AND HACKNEY CARRIAGES.

16 & 17 Vict.
c. 33.

The following section, coupled with paras. 30 & 31 of the Order (see Part XV hereof), deals with lost property :—

Property
left in
hackney
carriages to
be deposited
at the police
office.

Penalty on
driver for
default.

11. The driver of every hackney carriage within the limits of this Act wherein any property shall be left by any person shall within twenty-four hours carry such property, if not sooner claimed by the owner thereof, in the state in which he shall find the same, to the nearest police station, and shall there deposit and leave the same with the inspector or other officer on duty, upon pain that every such driver making any default herein shall be liable to a penalty not more than ten pounds, or at the discretion of the magistrate may be imprisoned for any time not exceeding one month ; and the said officer with whom any such property shall be deposited shall forthwith enter in a book to be kept for that purpose the description of such property, and the name and address of the driver who shall bring the same, and the day on which it shall be brought ; and the property so entered shall be returned to the person who shall prove, to the satisfaction of the Commissioners of Police, that the same belonged to him, such person previously paying all expenses incurred, together with such reasonable sum to the driver who brought the

same as the said Commissioners shall award : Provided always, that if such property shall not be claimed by and proved to belong to some person within one year after the same shall have been deposited, the said Commissioners shall cause such property to be sold or otherwise disposed of, and the proceeds thereof, to be paid over to the [Commissioners of Customs and Excise], to be carried to the public account, all expenses incurred about such property, together with such reasonable sum to the driver who brought the same as the said Commissioners shall award, being first paid thereout, and all property left by any passenger in any metropolitan stage carriage shall be given up to the conductor of such carriage, or, if there be no conductor, to the driver, upon pain of a penalty of ten pounds, to be paid by any person refusing or neglecting to give up any such property belonging to another person; and the conductor or driver of every such carriage to whom any such property shall be given up, or who shall himself find it in the carriage, shall within twenty-four hours carry the property, if not sooner claimed by the owner thereof, in the state in which he shall find the same to the nearest police station, and shall there deposit and leave the same with the inspector or other officer on duty, upon pain that every such driver or conductor making default herein shall be liable to a penalty not more than ten pounds or at the discretion of the magistrate may be imprisoned for any time not exceeding one month; and the property so deposited by any conductor or driver shall be dealt with in the same manner as property left in hackney carriages and deposited by the drivers of such carriages.

Property not claimed to be disposed of.

Penalty on refusing or neglecting to give up property left in stage carriages.

XII.—TRAMWAYS AND LIGHT RAILWAYS.

Carriages on tramways and light railways are stage carriages and the laws relating to proprietors, drivers and conductors of stage carriages apply. The following statutes, rules and regulations apply in addition:—

Traffic on tramways is regulated generally by the Tramways Act of 1870. This Act provides:—

Section 51. "If any person travelling or having travelled in any carriage on any tramway avoids or attempts to avoid payment of his fare,

33 & 34 Vict. c. 78 (1870).
Penalty on passengers practising frauds on the promoters.

"or if any person having paid his fare for a certain distance knowingly and wilfully proceeds in any such carriage beyond such distance, and does not pay the additional fare for the additional distance, or attempts to avoid payment thereof,

"or if any person knowingly and wilfully refuses or neglects on arriving at the point to which he has paid his fare to quit such carriage,

"every such person shall, for every such offence, be liable to a penalty not exceeding forty shillings."

Section 52. "It shall be lawful for any officer or servant of the promoters or lessees of any tramway, and all persons called by him to his assistance, to seize and detain any person discovered either in or after committing or attempting to commit any such offence as in the next preceding section is mentioned, and whose name or residence is unknown to such officer or servant, until such person can be conveniently taken before a justice, or until he be otherwise discharged by due course of law."

Arrest of offenders.

Section 53. "No person shall be entitled to carry or to require to be carried on any tramway any goods which may be of a dangerous nature, and if any person send by any tramway any such goods without distinctly marking their nature on the outside of the package

Penalty for bringing dangerous goods on the tramway.

“ containing the same, or otherwise giving notice in writing to the book-keeper or other servant with whom the same are left at the time of such sending, he shall be liable to a penalty not exceeding twenty pounds for every such offence, and it shall be lawful for such promoters or lessees to refuse to take any parcel that they may suspect to contain goods of a dangerous nature, or require the same to be opened to ascertain the fact.”

Private Acts affecting particular tramways have been passed and regulations of the Ministry of Transport and of tramway and light railway companies owning lines have been made.

A copy of the regulations should be exhibited in each tramcar.

Drivers should specially observe all regulations relating to speed, stopping places and distances between cars.

Conductors should pay special attention to such regulations as apply to warning passengers on approaching bridges or other dangerous spots.

33 & 34 Vict.
c. 78, s. 61.
Regulation
of traffic.

Nothing in the Tramways Act, 1870, limits the powers of the local authority or police in any district to regulate the passage of any traffic along or across any road along or across which any tramways are laid down, and such authority or police may exercise their authority as well on as off the tramway, and with respect as well to the traffic of the tramway itself as to the traffic of other persons. A similar provision is inserted in each of the Orders authorising the construction of a light railway running along a public road.

Ibid., s. 62.
Public
rights.

The right of the public to pass along or across every or any part of any road along or across which any tramway is laid whether on or off the tramway is reserved to them, but the public may not use carriages with flanged wheels to fit the rails.

XIII.—COUNTY COUNCIL LICENCES.

In general, and apart from the consideration of hackney and stage carriages, mechanically propelled vehicles and horse-drawn carriages must pay excise duties on licences. These duties are now, by the Roads Act, 1920, levied by county councils.

Horse-drawn Cabs, Hackney, and Stage Carriages.

By 51 & 52 Vict. c. 8, s. 4 (1888) the excise licence duty on horse-drawn hackney carriages is fifteen shillings, payable annually.

By this Act hackney carriage is defined to mean “any carriage standing or plying for hire, and includes any carriage let for hire by a coachmaker or other person whose trade or business it is to sell carriages or to let carriages for hire, provided that such carriage is not let for a period amounting to three months or more.”

It will thus be seen that an excise duty of fifteen shillings is payable on horse-drawn hackney carriages cabs and stage carriages as defined for the purposes of this abstract.

If the licence is taken out after the 1st of October in a year the duty payable is only one half.

32 & 33 Vict.
c. 14.

A penalty of twenty pounds is imposed for being without a proper licence.

Motor Cabs, Motor 'Buses, Chars-à-banc, and other mechanically driven Hackney and Stage Carriages.

A county council licence must be obtained for a mechanically driven hackney or stage carriage in common with other motor cars and vehicles. The rates payable are set out in Part XX. 10 & 11 Geo. 5. c. 72, s. 5. Motor car licence.

This licence only applies to the vehicle specified in the application and if the vehicle is altered so as to become a vehicle for which a licence at a higher rate of duty is required the licence shall become void (in a case of alteration of vehicle there is a provision for surrender or exchange of licence).

If the vehicle is licensed for a certain purpose and is used for another purpose for which the rate of licence duty is higher, the person so using the vehicle is liable to an excise penalty equal to three times the difference in value or twenty pounds whichever is the greater. *Ibid.*, s. 8 (3). Vehicle used for different purpose.

Penalty for using an unlicensed vehicle is twenty pounds or three times the duty payable whichever is the greater. *Ibid.*, s. 13. Penalty.

On the issue of the licence the county council registers the vehicle and assigns to it a mark. If this mark becomes in any way obscured or not easily distinguishable, the person driving the vehicle is liable to a penalty of twenty pounds for the first offence and fifty pounds for subsequent offences. *Ibid.*, s. 6. Obscuring mark.

The penalty for acting in contravention or failing to comply with any regulation made under the Roads Act is twenty pounds. *Ibid.*, s. 12 (4). Penalty.

Penalty for making false declaration in applying for county council licence or providing false particulars (fifty pounds or imprisonment). *Ibid.*, s. 13 (2). False declaration.

For forging or fraudulently using or allowing to be used any mark identifying a vehicle or licence or registration book a fine of fifty pounds or imprisonment may be imposed. *Ibid.*, s. 13 (4). Forging mark.

Hackney carriages must exhibit a distinctive sign showing that they are hackney carriages, namely, either a plate as provided by 10 & 11 Geo. 5, c. 72, and the Regulations made thereunder or the plate provided by order of the Commissioner. *Ibid.*, s. 11 (1). Distinctive sign.

If a hackney carriage is used for seating a larger number of persons than the number for which it is licensed the person keeping the vehicle is liable to a penalty. s. 11 (2). Excess passengers.

If twelve or more hackney carriages belonging to one owner are registered with a county council and one of them is destroyed or permanently withdrawn a rebate is allowed on a new licence issued for a new vehicle. *Ibid.*, s. 11 (3).

The Road Vehicles (Registration and Licensing) Regulations, 1921, makes detailed provision for all motor driven vehicles and consequently for hackney and stage carriages. Regulations.

The leading provisions of this Order may be briefly summarised as follows :—

that application is to be made for a licence to the council in whose area the vehicle is ordinarily kept (*i.e.* in the normal case to the council in whose area the garage is situated). Para. 2 & 3.

that the licence shall be carried in a specified manner on the vehicle. Para. 4.

that a registration book shall be issued to the owner. Para 5.

- Para. 6. that alterations which affect registration shall be notified to the council.
- Para. 8. that change of ownership shall be notified to the council.
- Para. 10. that changes of address of the owner shall be notified to the council.
- Para. 21. that the identification marks to be carried by a vehicle shall consist of two plates conforming to the design shown in the 4th Schedule of the Order.

XIV.—OTHER GENERAL ACTS.

In this part of this Abstract are summarised some leading provisions of General Acts (other than those relating expressly to cabs and stage carriages) which also apply to public carriages.

MOTOR CAR ACTS.

The "licence" mentioned in relation to motor vehicles in this section is that granted by the County Council and is not the police licence.

59 & 60 Vict.
c. 36, s. 1.
3 Edw. 7,
c. 36.
10 & 11 Geo.
5, c. 72.

Motor stage carriages and cabs are light locomotives under the Motor Car Acts, 1896 and 1903 as amended by the Roads Act, 1920. They are subject to the provisions of those Acts and to Orders made under those Acts as well as to the Acts that regulate stage or hackney carriages respectively.

59 & 60 Vict.
c. 36, s. 7.

Offenders against the Locomotives on Highways Act, 1896, or any byelaw or regulation made thereunder are liable to a penalty of ten pounds for each offence.

The following are offences against the Locomotives on Highways Act, 1896:—

Ibid., s. 3.

Not carrying bell or other instrument to give audible and sufficient notice of approach or position of carriage.

Ibid., s. 5.

Breach of regulations of Secretary of State for storage, keeping and use of petroleum or other liquid fuel.

3 Edw. 7,
c. 36.

By the Motor Car Act, 1903:—

Motor Car
driver's
licence.

A driver of a motor vehicle must be licensed. The licence is an annual licence issued by the County Council and costs five shillings. This licence is the motor car driver's licence and has nothing to do either with the hackney and stage carriage licence or the driver's licence issued by the Commissioner or with the County Council excise licence for a mechanically propelled vehicle.

Section 4.
Penalties for
offences.

If a driver is guilty of an offence under this Act or of any offence in connection with the driving of a motor car (other than a first or second offence consisting solely of exceeding the speed limit):—

- (a) his licence may be suspended;
- (b) he may be disqualified from obtaining a licence for a period of time;
- (c) his licence may be endorsed. (See also Roads Act, 1920, s. 7, by which provision is made for issue of clean licence to replace an endorsed licence after period of three years has elapsed since last endorsement.)

Powers are given to police to apprehend driver without a warrant if he has been guilty of offence of reckless and negligent driving and refuses to give his name and address or produce his licence or if the vehicle does not bear the identification mark, providing the offence is committed within the view of the constable.

The penalty for an offence under the Motor Car Act, 1903 is twenty pounds for the first offence, and fifty pounds for a subsequent offence, or imprisonment. In certain cases where this general penalty is not imposed the special fine or penalty is stated below. An appeal is allowed if over twenty shillings is imposed.

Offences under this Act are :—

Reckless or negligent driving or driving at a speed or in a manner which is a danger to the public. Section 1.

Giving false name and address to police after commission of such offence. Owner failing to give information in order to lead to such driver's identification.

Driving without a licence.

Section 3.

Employing a driver who has not a licence.

A driver failing to produce his licence to a police constable. [Penalty, five pounds.]

A driver failing to produce his licence for endorsement by a convicting court. Section 4.

When a driver who is disqualified from holding a licence obtains a licence.

Obtaining a licence without giving particulars of endorsement of licence.

Failing to stop (and, if required, to give name and address) in case of an accident (penalty, ten pounds for first offence, twenty pounds for second offence, subsequent offences, twenty pounds or imprisonment). Section 6.

Exceeding speed limit. (Fine, ten pounds first offence, twenty pounds second offence, subsequent offences, fifty pounds.) The speed limit for light motor cars, that is to say motor cars not exceeding two tons in weight unladen is 20 m.p.h. and within prohibited areas, 10 m.p.h. Heavier motor cars are subject to further restrictions. (See the Heavy Motor Car Order, 1904.) The maximum speed of a heavy motor car of weight greater than two tons is 12 m.p.h. provided that the registered axle weight of any axle does not exceed 6 tons, and the heavy motor car is fitted with pneumatic soft or elastic tyres. The speed of heavy motor cars may be still further restricted in prohibited areas. Section 9.

Orders affecting motor cars are :—

The Motor Car (Registration and Licensing) Order, 1903.

The Motor Cars (Use and Construction) Order, 1904.

The Heavy Motor Car Order, 1904 and 1921.

The Motor Car (International Circulation) Order, 1910 and 1921.

The Road Vehicles (Registration and Licensing) Regulations, 1921.

These Orders, *inter alia*, deal with the nature of the brakes and tyres of motor cars and the weight and dimensions of motor cars.

Injuring Persons.

Doing bodily harm to any person by furious driving or like misconduct is a misdemeanour punishable by two years' imprisonment. 24 & 25 Vict. c. 100, s. 35.

OFFENCES UNDER THE POLICE ACTS.

The following are offences when done in any thoroughfare or public place.

2 & 3 Vict. c. 47, s. 54. Cleaning, etc.	Cleaning, dressing, exercising, training, or breaking-in any horse or animal, or Cleaning, making, or repairing any part of any cart or carriage, except in cases of accident. [Penalty, forty shillings].
Furious driving.	Driving furiously. Driving so as to endanger the life or limb of any person. Driving to the common danger of the passengers in any thoroughfare.
Feeding horse ;	Feeding or foddering any horse or other animal ;
Shoeing horse ;	Shoeing, bleeding, or farrying any horse or animal (except in cases of accident) ;
turning loose.	Turning loose any horse or cattle. [Penalty, forty shillings.]
Carriage standing longer than necessary.	Causing any public carriage to stand in any thoroughfare or public place longer than is necessary for taking up or setting down passengers, except hackney carriages standing for hire in any place not forbidden by law :
Interrupting crossing.	Wilfully interrupting any public crossing by means of any carriage, barrow, or horse ;
Causing obstruction.	Wilfully causing any obstruction in any thoroughfare. [Penalty, forty shillings.]
Driving on footway.	Leading or riding any horse, or drawing or driving any cart or carriage, sledge, truck, or barrow upon any footway or curbstone.
Fastening on footway.	Fastening any horse so that it stands across or upon any footway. [Penalty, forty shillings.] See also 6 & 7 Vict. c. 86, s. 33.
2 & 3 Vict. c. 47. ss. 51, 52. Disregarding regulations.	Wilfully disregarding or not conforming to the regulations of the Commissioner of Police for regulating the route of horses, carts, carriages and persons during the time of Divine service, and for preventing obstructions during public processions, and on other occasions. [Penalty, forty shillings.] An offender may be arrested without a warrant by a constable who sees the offence committed.
11 & 12 Vict. c. 43, s. 5.	Aiding and abetting any offence is punishable as original offence.

OFFENCES UNDER THE HIGHWAY ACT, 1835.

5 & 6 Will. 4 c. 50, s. 72.	Driving on to footpath or in any way wilfully obstructing footway or free passage of highway. [Penalty, forty shillings over and above payment for damage occasioned.]
<i>Ibid.</i> , s. 78.	Driver negligently or wilfully causing hurt or damage, or leaving carriage so as to obstruct highway. [Penalty, five pounds.] Driver not keeping to left hand side of highway. [Penalty, five pounds.] Driver preventing others from passing him, or refusing to pull to side to allow passage. [Penalty, five pounds.] Driving furiously so as to endanger life or limb of any passenger. [Penalty, five pounds.] If the driver is also the owner of the vehicle these penalties of five pounds are increased to ten pounds. Driver may be arrested and brought before a justice of the peace by any person who sees any of these offences committed. Driver refusing his name to the justice may be imprisoned for three months instead of being sued for the penalty.

CRUELTY TO ANIMALS.

The Protection of Animals Act, 1911, provides (*inter alia*) :— 1 & 2 Geo. 5, c. 27.

1.—(1) (a) If any person shall cruelly beat, kick, ill-treat, over-ride, over-drive, over-load, torture, infuriate or terrify any animal, or shall cause or procure, or, being the owner, permit any animal to be so used, or shall, by wantonly or unreasonably doing or omitting to do any act or causing or procuring the commission or omission of any act, cause any unnecessary suffering, or being the owner permit any unnecessary suffering to be so caused to any animal.

(2) For the purpose of this section an owner shall be deemed to have permitted cruelty within the meaning of this Act if he shall have failed to exercise reasonable care and supervision in respect of the protection of the animal therefrom.

The penalty for an offence under the Act is twenty-five pounds or imprisonment, but imprisonment without option of fine cannot be imposed if offence is failure by owner to exercise care and supervision. Section 1.

The convicting court may order compensation not exceeding ten pounds to be paid to the owner of the animal by the person causing injury to it. Section 4.

The convicting court may order destruction of the animal or may deprive the offender of the ownership of the animal. Sections 2, 3.

Section 11 of this Act is as follows :—

11.—(1) If a police constable finds any animal so diseased or so severely injured or in such a physical condition that, in his opinion, having regard to the means available for removing the animal, there is no possibility of removing it without cruelty, he shall, if the owner is absent or refuses to consent to the destruction of the animal, at once summon a duly registered veterinary surgeon, if any such veterinary surgeon resides within a reasonable distance, and, if it appears by the certificate of such veterinary surgeon that the animal is mortally injured, or so severely injured, or so diseased, or in such physical condition, that it is cruel to keep it alive, it shall be lawful for the police constable, without the consent of the owner, to slaughter the animal, or cause or procure it to be slaughtered, with such instruments or appliances, and with such precautions, and in such manner, as to inflict as little suffering as practicable, and, if the slaughter takes place on any public highway, to remove the carcase or cause or procure it to be removed therefrom.

(2) If any veterinary surgeon summoned under this section certifies that the injured animal can without cruelty be removed, it shall be the duty of the person in charge of the animal to cause it forthwith to be removed with as little suffering as possible, and, if that person fail so to do, the police constable may, without the consent of that person, cause the animal forthwith to be so removed.

(3) Any expense which may be reasonably incurred by any constable in carrying out the provisions of this section (including the expenses of any veterinary surgeon summoned by the constable, and whether the animal is slaughtered under this section or not, may be recovered from the owner summarily as a civil debt, and, subject thereto, any such expense shall be defrayed out of the fund from which the expenses of the police are payable in the area in which the animal is found.

(4) For the purposes of this section, the expression " animal " means any horse, mule, ass, bull, sheep, goat, or pig.

Constables may without warrant arrest offenders whom they see committing offences of cruelty to animals or when complaint is made to them by a person giving his name and address. Vehicles may be detained by constables as security for penalties and expenses. Proprietors may be summoned to produce drivers and conductors who have committed offences and also to produce the injured animal. Section 12.

If the proprietor fail to comply with such order to produce, the case may be adjourned and the proprietor may be fined five pounds for first offence and ten pounds for subsequent offence and also be ordered to pay the costs of the adjournment. Section 13.

DISEASES OF ANIMALS.

57 & 58 Vict.
c. 57, s. 4. Every person having charge or possession of an animal affected with disease, shall keep such animal separate from other animals, and with all practicable speed give information to a constable. [Penalty, twenty pounds ; for second conviction within twelve months, imprisonment for one month may be given.]

Ibid., s. 52.

Ibid., s. 43.
Detention.

Arrest.

Constable may stop and detain a person found committing or reasonably suspected of being engaged in committing any offence against the Diseases of Animals Act, and if he fail to give name and address may arrest him, and may also arrest for obstruction. [Penalty for obstruction same as above.]

Ibid., s. 52.

The penalty for anything done in contravention of any Order of Ministry of Agriculture or regulation of local authority is twenty pounds, or imprisonment of one month for second offence committed within twelve months.

N.B.—The following Orders of the Ministry of Agriculture and Regulations of the L.C.C. are in force (County Councils other than London have their own Orders) :—

No.	Date.	Title.
736	25th Aug., 1921	Epizootic Abortion Order of 1921.
587	12th April 1921	Importation of Horses, Asses & Mules (Great Britain) Order of 1921.
376	27th Oct., 1920	Glanders or Farcy Order of 1920.
10193	24th Oct., 1919	Exportation of Horses Order of 1919.
10013	24th Feb., 1919	Animals (Notification of Disease) Order of 1919.
9923	7th May, 1918	Parasitic Mange (Amendment) Order of 1918.
8924	25th Sept., 1913	Horses (Importation & Transit) Order of 1913.
8244	22nd Nov., 1911	Parasitic Mange Order of 1911.
7981	13th Sept., 1910	Exportation of Horses Order of 1910 (No. 2).
7989	24th Sept., 1910	Anthrax Order of 1910.
7047	5th April, 1906	Diseases of Animals (Disinfection) Order of 1906.
6962	31st Aug., 1905	Epizootic Lymphangitis Order of 1905.

INFECTIOUS DISEASES; DISINFECTION OF CARRIAGES.

THE PUBLIC HEALTH ACT, 1875.

38 & 39 Vict. c. 55, s. 127.

This section only applies to parishes and places which are not within the City of London, nor the County of London.

Penalty on failing to provide for disinfection of public conveyance.

127.—Every owner or driver of a public conveyance shall immediately provide for the disinfection of such conveyance after it has to his knowledge conveyed any person suffering from a dangerous infectious disorder ; and if he fails to do so he shall be liable to a penalty not exceeding five pounds ; but no such owner or driver shall be required to convey any person so suffering until he has been paid a sum sufficient to cover any loss or expense incurred by him in carrying into effect the provisions of this section.

THE INFECTIOUS DISEASES (PREVENTION) ACT, 1890.

53 & 54 Vict. c. 34, s. 11.

(This Act to be in force must be adopted by the sanitary district.)

11.—Any person who hires or uses a public conveyance other than a hearse for the conveyance of the body of a person who has died from any infectious disease, without previously notifying to the owner or driver of such public conveyance that the person whose body is or is intended to be so conveyed has died from infectious disease, and after any such notification as aforesaid, any owner or driver of a public conveyance, other than a hearse, which has been used for conveying the body of a person who has died from infectious disease, who shall not immediately afterwards provide for the disinfection of such conveyance shall be guilty of an offence under this Act.

Disinfection of public conveyances used for carrying corpses.

[Section 16 makes the penalty five pounds.]

THE PUBLIC HEALTH (LONDON) ACT, 1891.

54 & 55 Vict. c. 76, ss. 70, 74.

This Act applies only to the City of London and County of London.

70.—It shall not be lawful for any owner or driver of a public conveyance knowingly to convey, or for any other person knowingly to place, in any public conveyance, a person suffering from any dangerous infectious disease, or for a person suffering from any such disease to enter any public conveyance, and if he does so he shall be liable to a fine not exceeding ten pounds; and, if any person so suffering is conveyed in any public conveyance, the owner or driver thereof, as soon as it comes to his knowledge, shall give notice to the sanitary authority, and shall cause such conveyance to be disinfected, and if he fails so to do he shall be liable to a fine not exceeding five pounds, and the owner or driver of such conveyance shall be entitled to recover in a summary manner from the person so conveyed by him, or from the person causing that person to be so conveyed, a sum sufficient to cover any loss and expense incurred by him in connection with such disinfection. It shall be the duty of the sanitary authority, when so requested by the owner or driver of such public conveyance, to provide for the disinfection of the same, and they may do so free of charge.

Prohibition of conveyance of infected person in public conveyance.

74.—If—

- (a) a person hires or uses a public conveyance other than a hearse for conveying the body of a person who has died from any dangerous infectious disease, without previously notifying to the owner or driver of the conveyance that such person died from infectious disease, or
- (b) the owner or driver does not, immediately after the conveyance has to his knowledge been used for conveying such body, provide for the disinfection of the conveyance

Disinfection of public conveyances if used for carrying corpses;

he shall, on the information of the sanitary authority, be liable to a fine not exceeding five pounds, and if the offence continues to a further fine not exceeding forty shillings for every day during which the offence continues.

XV.—CAB AND STAGE CARRIAGE ORDER.

STATUTORY RULES AND ORDERS,
1917, No. 426.

METROPOLITAN AND CITY POLICE DISTRICTS.
HACKNEY AND STAGE CARRIAGES.

ORDER, DATED MAY 1, 1917, MADE BY THE SECRETARY OF STATE IN
PURSUANCE OF THE METROPOLITAN PUBLIC CARRIAGE ACT,
1869 (32 & 33 VICT. C. 115), AND THE LONDON CAB AND STAGE
CARRIAGE ACT, 1907 (7 EDW. 7, C. 55).

PART I.

Licensing of Cabs and Stage Carriages.

Order of
1st May,
1917.

In pursuance of sections 6 and 11 of the Metropolitan Public Carriage Act, 1869, I hereby prescribe as follows :—

1. I appoint the Commissioner of Police of the Metropolis, hereinafter referred to as the Commissioner, to grant all licences in respect of cabs and stage carriages.

2. A person desirous of obtaining a licence for a cab or stage carriage shall make application at the office of the Commissioner, or at such other place as the said Commissioner may appoint.

Such application, if for a cab licence, may be in the form contained in Schedule A hereto, and if for a stage carriage, in the form contained in Schedule B hereto, or in such other form respectively as the Commissioner may from time to time direct.

3. An application for a licence on behalf of any co-partnership or company, shall be made by, and the licence if granted shall be issued to, the senior partner, or the Secretary or Manager, or other responsible official of the company, as the case may be.

4. A licence shall not be granted to any person under the age of 21 years, and if granted to any such person shall be void.

The Commissioner may in his discretion refuse to grant a licence in any of the following cases :—

- (1) if the applicant has been convicted of any indictable offence or of an offence of cruelty within the meaning of the Protection of Animals Act, 1911 ;
- (2) if the applicant has previously obtained a licence for a cab or a stage carriage and such licence has been revoked or suspended ;
- (3) if the applicant fails to satisfy the Commissioner—
 - (a) that the cab or stage carriage conforms to the conditions of fitness from time to time prescribed by the Commissioner ;
 - (b) that the applicant is of good character and business repute and that his financial position is such that he is a fit and proper person to hold a licence ;
 - (c) Where the application is made on behalf of a firm or company, that the applicant is of good character and that the firm or company is of good business repute and that its financial position is such that a licence may properly be granted.

[5. *The price for a licence for a cab or stage carriage is two pounds.* Order of 1st May, 1917.

6. *If the application is approved by the Commissioner the applicant shall pay to the Receiver for the Metropolitan Police District, or to some person whom such Receiver shall appoint, the said sum of two pounds, and upon payment being made, the said Receiver shall issue, or cause to be issued, to the applicant a receipt for the amount paid.]*

[By the Roads Act, 1920, the payment for the police licence for public carriages, excepting horse-drawn carriages and tramcars, is now included in the payment for the excise licence. The amount payable is levied by county councils which pay the amounts levied into the exchequer whence a payment is made to the police (see section 1 (2) and (4), section 3 (4) *b*, section 14 (1) of the Roads Act, 1920, and p. 30 *et seq.* hereof).]

7. If, however, after the Commissioner has approved of the application, anything comes to his knowledge, or circumstances arise, which satisfy him that it is undesirable that such licence should be granted, he may withdraw or suspend such approval, and if such approval is finally withdrawn, a licence shall not be issued. [*Any sum of money paid in respect of such application for a licence shall be forthwith refunded to the applicant.*]

8. The applicant shall bring the carriage to which he desires the licence shall attach, to a passing station or such other place as the Commissioner shall direct for examination, and at the same time shall hand the approved application form [*and receipt*] to the Inspector of Public Carriages.

9. If the carriage is found fit for public use, the Inspector shall cause a plate bearing the number which is to distinguish such carriage, and hereinafter called the number plate, to be affixed thereto in his presence, together with such approval mark as the Commissioner may from time to time direct.

The number plate shall be fixed on the back of each carriage in the most convenient and conspicuous place to be determined by the Commissioner.

In the case of a cab, the Inspector shall, at the same time, cause to be affixed to the carriage a plate, hereinafter called the fare plate, setting forth the particulars of fares which may be demanded by the driver from the hirer, also a number plate to be visible from the inside of every such carriage. Such plates shall be affixed in convenient and conspicuous places to be approved by the Commissioner.

The Inspector shall then sign the certificate in the form contained in Schedule C.

10. A licence (subject to the conditions hereinafter specified) shall thereupon be issued to the applicant from the Office of the Commissioner.

11. A licence for a cab shall be in the form contained in Schedule D hereto, and for a stage carriage shall be in the form contained in Schedule E hereto.

12. The person to whom a licence shall be issued, whether individually or on behalf of a co-partnership or company, shall be responsible for the observance of the conditions under which the licence is granted as if he were the person solely interested in the licence.

Order of
1st May,
1917.

13. A licence granted in respect of any cab or stage carriage under this Part of the Order, shall be subject to the following conditions :—

(a) The licensee shall not permit or suffer the carriage to be sub-let ; provided that this condition shall not prevent a licensed person, who has been registered with and specially approved by the Commissioner, from lending or letting a licensed vehicle to another person licensed in respect of a cab or stage carriage for a period not exceeding 21 days, if notice in writing of such lending or letting be sent to the Commissioner one clear day before the loan or letting, giving the name of the licensed person to whom the carriage is proposed to be lent or let.

The Commissioner may, in his discretion, refuse such special approval, and may also, in his discretion, withdraw the approval, which authorized a person to lend or let as herein provided.

(b) The licensee shall, if during the currency of his licence he changes his address, within seven days from such change bring his licence to the office of the Commissioner, and the Commissioner shall thereupon indorse the licence with the new address. The address mentioned in or last indorsed upon the licence shall for all purposes connected with the licence, be deemed to be the address of the licensee of the carriage to which the licence refers.

(c) The licensee :—

(1) Shall not knowingly permit his carriage to be used for an illegal purpose.

(2) Shall not deface his licence by erasure or otherwise.

(3) Shall at all times, when required, produce his licence and the licences of the drivers or conductors in his employ to the Commissioner, or to such persons as he may appoint.

(4) Shall at all reasonable times allow to all persons appointed by the Commissioner to be Inspectors of Public Carriages free access to his premises and stables for the purpose of inspecting the public carriage to which the licence relates, the horses, if any, used for drawing the same and their harness.

(5) Shall within three days after a notice shall have been delivered to him personally or left at the address mentioned in or last indorsed upon his licence, deliver up his licence to the Inspector of Public Carriages at the police station of the district within which the place of his address so mentioned or indorsed is situate, and shall bring the public carriage to the same police station in order that the plates may be unfixed and delivered up to the Inspector of Public Carriages.

(d) The licensee of any cab or stage carriage shall not conceal or remove, or permit or suffer any person, except such as are authorized by the Commissioner, to conceal or remove any plate affixed to such carriage in pursuance of this Order, nor shall he alter or obliterate, or permit or suffer any person, except as aforesaid, to alter or obliterate any number or mark placed thereupon in pursuance of this Order or by the authority of the Commissioner.

(e) The licensee shall keep the carriage and all its furniture and appointments, and the harness of the horse or horses, if any, drawing the same, in perfect order and repair, and shall not suffer any person, or object, or any printed, written or other matter

to appear on the outside or inside of the carriage, or upon the harness or horses, by way of advertisement, except such, if any, as shall be approved by the Commissioner. Order of
1st May,
1917.

(f) The licensee of a cab shall not employ or permit or suffer any person to be employed as a driver of such carriage unless he be licensed in accordance with Schedule H of this Order, nor shall he employ such person to drive carriages of a type other than those mentioned in or indorsed upon the said driver's licence.

(g) The licensee of a stage carriage shall not employ or permit or suffer any person to be employed as a driver of such carriage unless he be licensed in accordance with Schedule F of this Order, nor shall he employ such person to drive carriages of a type other than those mentioned in or indorsed upon the said drivers' licence.

14. Any licence defaced or on which there is an erasure shall be void.

15. A licence granted under this Part of the Order shall be liable to revocation or suspension by the Commissioner in any of the following events :—*

(a) If the licence has been obtained by any misrepresentation.

(b) If the licensed person fails to comply with any of the conditions upon which the licence issued to him has been granted.

(c) In any of the events in which a licence for a cab or stage carriage might have been revoked or suspended at the time of the passing of the Metropolitan Public Carriage Act, 1869.

(d) If the licensee commits a breach of the said Metropolitan Public Carriage Act or of this Order.

(e) If, in the opinion of the Commissioner, the licence cannot continue to be held without risk to the public, or if the conduct of the licensee is or has been during the currency of the licence such as to render it inadvisable, in the opinion of the Commissioner, that the licensee should continue to hold the licence.

16. In the case of the death of any licensee during the currency of his licence, the licence shall be brought to the Office of the Commissioner, and the Commissioner may by endorsement thereon transfer the licence to the personal representatives of the deceased person, or to his widow or child, if such representative, or widow, or child is of full age and satisfies the Commissioner, as hereinbefore

* A licence for a cab is liable to revocation, after conviction of the proprietor for injuring or endangering any person in his life, limbs, or property, by intoxication or wanton and furious driving, or by any other wilful misconduct, or for making use of any abusive or insulting language, or for being guilty of other rude behaviour to or towards any person whatever, or for assaulting or obstructing any officer of stamp duties, or any officer of police, or other peace officer, watchman, or patrol in the execution of his duty. 1 & 2 Will. 4,
c. 22, s. 56.

The licence for a cab or stage carriage may be suspended by the Commissioner if, after notice in writing from him that the carriage or the horse drawing it is unfit for public use, the proprietor uses or lets to hire such carriage as a Metropolitan stage carriage or cab, or uses or lets to hire such horse whilst unfit for public use. 16 & 17 Vict.
c. 33, s. 2.

The licence for a cab or stage carriage may also be suspended or recalled by the Commissioner if a public carriage is without just cause withdrawn from hire for two consecutive days or two days in one week. The proprietor, however, is empowered to withdraw his carriage from hire upon giving 10 days' notice to the Commissioner. 16 & 17 Vict.
c. 127, s. 16.

See also paragraph 45 of this Order.

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1st May,
1917.

required, of his or her fitness to hold such licence. In like manner and on like conditions, in the case of the marriage of a female during the currency of her licence, such licence may be transferred to her husband. In the case of a partnership or company, the licence may, in like manner, on like conditions, be transferred from the licensee to his successor.

17. In pursuance of section 3 of the London Cab and Stage Carriage Act, 1907, I hereby order that all Acts and Orders relating to stage carriages in London shall apply to :—

(1) Every carriage using a tramway or light railway ;

(2) Every carriage constructed in the form of an omnibus, char-à-banc, wagonette, cab, or other vehicle which is intended or used for the conveyance of passengers and which plies for hire in any street, road or place, and in which the passengers or any of them are charged to pay separate and distinct or at the rate of separate and distinct fares for their respective places or seats therein, and which on every journey goes to or comes from some town or place beyond London.

Provided that nothing in this Order shall apply to a four-horse coach known as a stage coach or to any other vehicle or class of vehicle which shall from time to time be specially exempted from its provisions by Order under my hand.

PART II.

Licensing of Drivers of Cabs and Drivers and Conductors and Assistant Conductors of Stage Carriages.

In pursuance of section 8 of the Metropolitan Public Carriage Act, 1869, I hereby prescribe as follows :—

18. A licence to act as driver of a stage carriage or as driver of a cab, or upon the special recommendation of a proprietor a licence to act either as driver or conductor of a stage carriage, may be granted by the Commissioner provided that the applicant be not less than 21 years of age.

A licence to act as conductor of a stage carriage may be granted by the Commissioner provided the applicant be not less than 20 years of age.

19. Upon a written request being made by a proprietor to the Commissioner, a licence to act as an assistant to a conductor of a Stage Carriage may be granted provided the applicant be not less than 16 years of age.

Except where a contrary intention appears, the provisions of this Order and of any Act or Order in force relating to a conductor of a Stage Carriage shall apply to an assistant to a conductor in the same way as they apply to a conductor.

20. The Commissioner may in his discretion refuse to grant any such licence—

- (a) if the applicant fails to satisfy him that he is of good character and fit to act as such driver, conductor, or assistant conductor, as the case may be ;

- (b) if the applicant having previously obtained a licence to act as a driver or conductor or assistant conductor has, unless prevented by illness or other unavoidable cause, failed to act as such driver or conductor or assistant conductor, as the case may be, during any considerable part of the period for which such licence was granted.

Order of
1st May,
1915.

21. Such licences shall be respectively in the forms contained in the Schedules F, G, H, M, and N to this Order, and shall, if not revoked or suspended, be in force for one year from the date thereof; and for every such licence there shall be paid to the Receiver for the Metropolitan Police District, or to such person as he shall appoint, the sum of five shillings.

22. Every licence granted to a driver or conductor shall be subject to revocation or suspension for any period of time by any justice of the peace in any of the events in which a licence granted to a driver of a cab, or a driver or conductor of a stage carriage in pursuance of any Act of Parliament might, at the passing of the Metropolitan Public Carriage Act, 1869, be revoked or suspended, and also by any justice of the peace in the event of any breach of this Order or of any of the provisions of the said Metropolitan Public Carriage Act, 1869, or of the London Cab and Stage Carriage Act, 1907.

***23.** Any licence granted under this Part of the Order shall also be subject to revocation or suspension for any period of time by the Commissioner if, in his opinion, the driver or conductor has been guilty of misconduct in the exercise of his calling or is unable to exercise it without risk to the public.

24. A copy of the licence shall be issued to every driver and conductor.

PART III.

Regulations as to Cabs and Stage Carriages.

In pursuance of section 9 of the Metropolitan Public Carriage Act 1869, and Section 1 of the London Cab and Stage Carriage Act, 1907, I hereby make the following regulations:—

25. The proprietor shall cause to be painted at the back of his cab, on the outside, the number of persons which the cab is licensed to carry.

If the proprietor suffer his cab to ply for hire without such number so painted, he shall be deemed to have committed a breach of this Order.

26. If a cab carry a greater number of persons than the number which it is licensed to carry, the driver, and also the proprietor, if he be cognizant of the fact, shall be deemed to have committed a breach of this Order.

For the purpose of this Regulation, one child or two children under 10 years of age shall count as one person.

27. The driver of a motor cab shall not permit or suffer any other person to be on the driving box.

* As amended by Order 423 of 3rd April, 1919.

Order of
1st May,
1917.

28. The proprietor shall supply a sufficient number of tickets in the following form, and no other, for the use of any person hiring the cab, and the driver shall, if so required, deliver one such ticket, and no other, to the hirer :—

<p>CAB, No. _____</p> <p>Proprietor's Name _____</p> <p>Address _____</p> <p>(The particulars required to complete above are to be legibly written or printed.)</p> <p>_____</p> <p>Magistrates are empowered to hear and determine complaints between hirers and drivers.</p> <p>Applications respecting property left in cab should be made personally or by letter to the Lost Property Office, New Scotland Yard, S.W.</p>

29. The proprietor of a public carriage shall within three days after the expiration of the period for which the licence shall have been granted, deliver up his licence to the Inspector of Public Carriages at the police station of the district within which the place of his address, mentioned in or last indorsed upon the licence is situate, and shall bring the public carriage to the same police station in order that the plates may be unfixed and delivered up to the Inspector of Public Carriages.

Note.—Nothing in this clause shall exempt the proprietor from any penalty to which he might be liable for using, or permitting the use of, an unlicensed carriage.

30. Immediately after the termination of any hiring, the driver of a cab, and immediately after the termination of any journey, the conductor of a stage carriage, or if there be no conductor, the driver, shall carefully search the carriage for any property which may have been accidentally left therein, and shall within 24 hours deposit such property, if not sooner claimed by the owner, in the state in which he finds it, at any police station.

31. Any passenger who finds property accidentally left in a stage carriage shall immediately hand the same to the conductor, or if there be no conductor, to the driver, who shall within the period before stated, if it is not sooner claimed by the owner, deposit the property in the state in which it was found at any police station, and truly state the particulars of such finding.

32. During the period between one hour after sunset and one hour before sunrise* no driver of a cab shall ply for hire unless the carriage under his charge be provided with a lamp properly trimmed and lighted. Such lamp shall be fixed outside the carriage in such a manner as to exhibit a white light to the front. If one* lamp only be carried outside, it shall be fixed on the right or off-side of the carriage.

* Cabs in common with other vehicles are subject to certain rules for showing lights at night.

These rules are contained in the Lights on Vehicles Act, 1907, the Orders made under the Locomotives on Highway Act, 1896, the Motor Car Act, 1903, and the Roads Act, 1920.

33. The driver or conductor of a stage carriage or the driver of a cab shall not conceal or remove any plate affixed to such carriage in pursuance of this Order, or alter or obliterate any number or mark thereupon, or any mark placed on such carriage by the authority of the Commissioner.

Order of
1st May,
1917.

34. The driver of a cab or a stage carriage shall drive carriages of such type only as are specified in the licence or in the indorsements made thereon by direction of the Commissioner.

35. A person under 20 years of age shall not act or be employed as an assistant to a conductor unless the vehicle be in charge of a fully-licensed conductor.

36. A driver or conductor shall at all times during his employment and when appearing before a magistrate have in his possession a copy of the licence issued to him in pursuance of Part II of this Order, and shall on demand by the officer in charge for the time being of any police station, or by any police officer specially authorized by the Commissioner, produce the same and allow the writing and photograph thereon to be inspected. If he neglect or fail to produce the copy as aforesaid, he shall be deemed to have committed a breach of this Order.

37. In pursuance of section 10 of the Metropolitan Public Carriage Act, 1869, I hereby annex a penalty, not exceeding forty shillings, for the breach of any regulation or regulations in this Part of this Order.

PART IV.

Cab Fares, Hiring, &c.

38. Every motor cab must be fitted with a taximeter of a form approved by the Commissioner.

39. The hiring of a cab not fitted with a taximeter recording the fare by a combination of time and distance, shall be by distance or by time as the hirer may express at the commencement of the hiring; but, unless expressed to be by time, shall be taken to be by distance.

The fare for the hiring of a cab not fitted with such a taximeter shall be in accordance with the scale set forth in Schedule I to this Order.

40. The fare for the hiring of a cab fitted with a taximeter, recording the same by a combination of time and distance, shall be in accordance with the scale set forth in Schedules K and L to this Order.

41. Whether the hiring be according to the scale laid down in Schedule I, K or L, the driver shall be entitled to charge, in addition to what is due to him for distance or time, or by the combination of both, as the case may be, the following extra payments in the following cases respectively:—

(1) If any luggage is carried outside the cab, he shall be entitled to an extra payment for every package carried outside, whatever may be the number of persons carried, in accordance with the scale set out in Schedules I, K and L respectively.

Order of
1st May,
1917.

Schedules
I., K., L.

(2) If the carriage is licensed for more than two persons, and at any time during the hiring more than two persons are carried together, he shall be entitled to an extra payment of *9d. for motor cabs, and 6d. for other cabs* for every person above two so carried. Provided that one child, or if there be more than one, two children under the age of 10 years shall count as one person.

Provided it shall not be compulsory for the driver of a cab to record upon the taximeter the amount payable in respect of extra charges for luggage or additional persons.

42. If a cab not fitted with a taximeter, or fitted with a taximeter not recording the fare by a combination of time and distance, is hired by distance, and in the course of the hiring is at the request of the hirer made to wait, the driver shall be entitled to charge (in addition to what is due to him for distance) an extra payment according to the scale laid down in Schedule I, hereto annexed.

The driver shall not be entitled to receive any extra payment for waiting if such waiting has not amounted in the whole of fifteen minutes.

The driver shall not be entitled to any extra payment for waiting any less period than fifteen minutes (whether such less period be completed in one or in several stoppages) which is over and above any number of completed periods of fifteen minutes.

43. A driver of a cab shall not be compelled to drive for more than six miles; and, if hired by time, shall not be compelled to drive for more than one hour.

44.—(1) If any property found in a cab or stage carriage and brought to any police station by the driver, or by the driver or conductor thereof respectively, under the provisions of the London Hackney Carriage Act, 1853, 16 & 17 Vict. c. 33, s. 11, or of this Order, be not within three months claimed and proved to the satisfaction of the Commissioner to belong to the claimant the Commissioner shall forthwith sell such property, and out of the proceeds shall award to such driver or conductor as follows:—

For property consisting of or comprising any gold or silver money, bank notes, jewellery, or watch, and being of less value than £10.	} A sum equal to 3s. in the £1 on the value of the property.
For property of any other kind, and being of less value than £10.	
For property of the value of £10, or upwards.	} Such a sum as the Commissioner shall deem reasonable.

Provided that the Commissioner may, if he thinks fit, at the expiration of the said period of three months, deliver the property to the driver or conductor instead of awarding to him a sum of money.

(2) If the property which shall have been so brought to a police station be claimed before the expiration of the said period of three months, and the claimant prove to the satisfaction of the Commissioner that he is entitled thereto, the same shall be delivered to him on payment by him of all expenses incurred, and of a remuneration to the driver or conductor. The amount of such remuneration shall be determined by the Commissioner with reference to the character and the value of the property in accordance with the foregoing section.

PART V.

*Taximeters, Distance Recorders, &c.*Order of
1st May,
1917.

45. No taximeter shall be affixed to any cab unless the seal or mark approved by the Commissioner be affixed thereto. If a taximeter, not having the said seal or mark intact, be affixed to any cab, the licence of that carriage shall be liable to revocation or suspension.

46. Any proprietor, driver, or other person who shall break or in any way tamper with the seal or mark placed on the taximeter, or who shall, with intent to deceive, tamper with the taximeter, shall be deemed to have committed a breach of this Order.

47. The driver of every cab fitted with a taximeter recording the fare by a combination of time and distance shall, as soon as he is hired and no sooner, set the machine in motion, and upon the termination of the hiring shall forthwith stop the machine.

48. The driver of every cab fitted with a taximeter not recording the fare by a combination of time and distance, shall as soon as he is hired and no sooner set the machine at zero.

49. In pursuance of section 10 of the Metropolitan Public Carriage Act, 1869, I hereby annex a penalty, not exceeding forty shillings, for any breach of this Part of this Order.

PART VI.*General.*

50.—(1) In this Order the expression “cab” includes “hackney carriage.”

(2) The Order of the 30th December, 1907, made by the Secretary of State is hereby revoked, provided that every licence already granted in pursuance of the said Order shall be as valid as if it had been granted in pursuance of and in accordance with the provisions of this Order.

(3) This Order shall come into force on the 1st day of June, 1917.

GEO. CAVE,
One of His Majesty's Principal
Secretaries of State.

Whitehall,
1st May, 1917.

Order of
1st May,
1917.

Schedule A.

"Metropolitan Public Carriage Act, 1869" (32 & 33 Vict. c. 115), and the
"London Cab and Stage Carriage Act, 1907" (7 Edw. VII. c. 55).

FORM OF APPLICATION FOR A CAB LICENCE.

I (a) _____

residing at (b) _____

hereby apply for a Licence for a Carriage known as (c) _____

and distinguished by (d) _____ for the purpose of
plying for hire as a cab in the Metropolitan and City Police Districts, under
the provisions of the above-mentioned Acts and of all Orders made in pursuance
thereof.

*Strike out
as necessary.

† If a former
licence has
been revoked
or suspended
particulars
of such
revocation or
suspension
are to be
stated upon
a separate
form.

‡ If the
applicant
has been
charged or
summoned
for any
offence, the
date of such
is to be
stated upon
a separate
form.

I hereby declare that* { I have never previously held a licence for a cab
or stage carriage, } or { no former licence of mine has ever been revoked
or suspended,† } and that I have never been convicted of any crime,
or ‡ charged or summoned for any offence in London or elsewhere, and that I am
not under 21 years of age.

I further declare that I am in a position to fulfil, as Proprietor of Public
Carriages, all reasonable obligations to the public, and that the declarations
made with respect to this application are true to the best of my knowledge and
belief.

Signature in full _____

Dated _____ 192__

To the Commissioner of Police of the Metropolis.

Having carefully considered the whole of the facts brought to my notice
in connection with this application, I hereby _____
the same.

Commissioner of Police of the Metropolis.

(a) Insert Christian Name and Surname in full. If a member of a Partnership
say Senior Partner of the Firm of _____. If a Company is the
Applicant, say I (A.B. _____), and give official position in the
Company.

(b) Insert the number of the House, the Street, and the Parish. If a Partner-
ship, say where carrying on business. If a Company, say where Chief Office is.

(c) Insert the description of the Carriage.

(d) Insert marks, &c., by which the Carriage may be identified.

Schedule B.

"Metropolitan Public Carriage Act, 1869" (32 & 33 Vict. c. 115), and the
 "London Cab and Stage Carriage Act, 1907" (7 Edw. VII. c. 55).

FORM OF APPLICATION FOR A METROPOLITAN STAGE CARRIAGE LICENCE.

I (a) _____
 residing at (b) _____

hereby apply for a Licence for a Carriage known as (c) _____
 and distinguished by (d) _____ for the purpose of
 plying for hire as a Stage Carriage under the provisions of the above-mentioned
 Acts, and of all Orders made in pursuance thereof.

I hereby declare that* } I have never previously held a licence for a cab
 } or
 } no former licence of mine has ever been revoked
 or stage carriage, }
 or suspended,† } and that I have never been convicted of any crime, or
 charged or summoned for any offence in London or elsewhere,‡ and that I am
 not under twenty-one years of age.

I further declare that I am in a position to fulfil, as Proprietor of Public
 Carriages, all reasonable obligations to the public, and that the declarations
 made with respect to this application are true to the best of my knowledge and
 belief.

Signature in full _____

Dated _____ 192 _____

To the Commissioner of Police of the Metropolis.

Having carefully considered the whole of the facts brought to my notice in
 connection with this application, I hereby _____
 the same.

 Commissioner of Police of the Metropolis.

Schedule C.

"Metropolitan Public Carriage Act, 1869" (32 & 33 Vict. c. 115).

CERTIFICATE OF INSPECTOR OF PUBLIC CARRIAGES.

I certify that I have examined the Carriage submitted with this application
 which is distinguished by _____

and find the same _____ for public use.

It is constructed to carry _____ passengers inside and _____ passengers
 outside.

The number of the Plate affixed in accordance with the Order of the Secretary
 of State is _____.

 Inspector of Public Carriages.

Dated _____

* Strike out
 as necessary.

† If a former
 licence has
 been revoked
 or suspended
 particulars
 of such
 revocation or
 suspension
 are to be
 stated upon
 a separate
 form.

‡ If the
 applicant has
 been
 charged or
 summoned
 for any
 offence, the
 date of such
 is to be
 stated upon
 a separate
 form.

Schedule D.

" *Metropolitan Public Carriage Act, 1869* " (32 & 33 Vict. c. 115), and the
 " *London Cab and Stage Carriage Act, 1907* " (7 Edw. VII. c. 55).

CAB LICENCE No. _____.

In consideration of the sum of Two Pounds paid to the Receiver for the Metropolitan Police District, I hereby license _____
 residing at _____

to let the Carriage distinguished by the number given in the Margin hereof for the purpose of plying for hire as a Cab within the Metropolitan and City Police Districts for one year, unless this Licence shall be previously revoked or suspended, subject to the provisions of the Acts now in force as to Cabs, and subject to any Order made by His Majesty's Principal Secretary of State by virtue of the above-mentioned Acts.

And I certify with regard to the said Carriage that the number of persons which it is licensed to carry is (a) _____ inside, and (a) _____ outside.

By Order of His Majesty's Principal Secretary of State.

Dated _____.

 Commissioner of Police of the Metropolis.

Schedule E.

" *Metropolitan Public Carriage Act, 1869* " (32 & 33 Vict. c. 115), and the
 " *London Cab and Stage Carriage Act, 1907* " (7 Edw. VII. c. 55).

STAGE CARRIAGE LICENCE No. _____.

In consideration of the sum of Two Pounds paid to the Receiver for the Metropolitan Police District, I hereby license _____
 residing at _____

to use the Carriage distinguished by the number given in the Margin hereof for the purpose of plying for hire as a Metropolitan Stage Carriage for one year, unless this Licence shall be previously revoked or suspended, subject to the provisions of the Acts now in force as to Metropolitan Stage Carriages, and subject to any Order made by His Majesty's Principal Secretary of State by virtue of the above-mentioned Acts.

And I certify with regard to the said Carriage that the number of persons which it is licensed to carry is (a) _____ inside, and (a) _____ outside.

By Order of His Majesty's Principal Secretary of State.

Date _____.

 Commissioner of Police of the Metropolis.

(a) Insert the Numbers respectively given in the Certificate of the Inspector of Public Carriages.

Schedule F.

DRIVER OF METROPOLITAN STAGE CARRIAGES.

(32 & 33 Vict. c. 115.)



LICENCE.

No. _____.

Dated the _____ day of _____, one thousand nine hundred and _____
 To _____
 of _____

to act as driver of Metropolitan Stage Carriages _____

and none other for one year, unless this Licence is sooner revoked or suspended.

By Order of His Majesty's Principal Secretary of State.

 Commissioner of Police of the Metropolis.

Metropolitan Police Office,
 New Scotland Yard.

This Licence is issued subject to the conditions of 32 & 33 Vict., c. 115, and of all Orders made by His Majesty's Principal Secretary of State in pursuance thereof, and if not revoked, suspended, or renewed, must be delivered up at this Office on the _____ day of _____.

Date.	Memorandum of Change of Abode.	Entered at the Office.

Photograph of the Licensed Person.

Until a photograph is available the following particulars must be inserted here in lieu thereof :—

Age _____ Hair _____
 Height _____ Complexion _____
 Eyes _____

 Signature of the Licensed Person.

Entries as required by the Act 6 & 7 Vict., c. 86, s. 8, and by the 32 & 33 Vict., c. 115, and the Orders made in pursuance thereof, incorporating the said requirements, are to be made by Proprietors in the respective columns beneath :—

Name of Proprietor.	Address of Proprietor.	Date when within-named Licensed person entered Proprietor's Service.	Date of quitting Service.

*Schedule G.*CONDUCTOR OF METROPOLITAN STAGE CARRIAGES.
(32 & 33 Vict. c. 115).

LICENCE.

No. _____

Dated the _____ day of _____, one thousand nine hundred and _____
To _____
of _____

to act as Conductor of Metropolitan Stage Carriages _____

and none other for one year, unless this Licence is sooner revoked or suspended.

By Order of His Majesty's Principal Secretary of State.

Commissioner of Police of the Metropolis.

Metropolitan Police Office,
New Scotland Yard.

This Licence is issued subject to the conditions of 32 & 33 Vict., c. 115, and of all Orders made by His Majesty's Principal Secretary of State in pursuance thereof, and if not revoked, suspended, or renewed, must be delivered up at this Office on the _____ day of _____

Date.	Memorandum of Change of Abode.	Entered at the Office.

Photograph of the Licensed Person.

Until a photograph is available the following particulars must be inserted in lieu thereof :—

Age _____ Hair _____
Height _____ Complexion _____
Eyes _____

Signature of the Licensed Person.

Entries as required by the Act 6 & 7 Vict., c. 86, s. 8, and by the 32 & 33 Vict., c. 115, and the Orders made in pursuance thereof, incorporating the said requirements, are to be made by Proprietors in the respective columns beneath :—

Name of Proprietor.	Address of Proprietor.	Date when within-named Licensed person entered Proprietor's Service.	Date of quitting Service.

Schedule H.

DRIVER OF CABS.

(32 & 33 Vict., c. 115.)



LICENCE.

No. _____

Dated the _____ day of _____, one thousand nine hundred and _____
 To _____
 of _____

to act as driver of Cabs _____

and none other for one year, unless this Licence is sooner revoked or suspended
 By Order of His Majesty's Principal Secretary of State.

 Commissioner of Police of the Metropolis.

Metropolitan Police Office,
 New Scotland Yard.

This Licence is issued subject to the conditions of 32 & 33 Vict. c. 115, of all Orders made by His Majesty's Principal Secretary of State in pursuance thereof, and if not revoked, suspended, or renewed, must be delivered up at this Office on the _____ day of _____.

Date.	Memorandum of Change of Abode.	Entered at the Office.

Photograph of the Licensed Person.

Until a photograph is available the following particulars must be inserted here in lieu thereof:—

Age _____ Hair _____
 Height _____ Complexion _____
 Eyes _____

 Signature of the Licensed Person.

Entries as required by the Act 6 & 7 Vict. c. 86, s. 8, and by the 32 & 33 Vict. c. 115, and the Orders made in pursuance thereof, incorporating the said requirements, are to be made by Proprietors in the respective columns beneath:—

Name of Proprietor.	Address of Proprietor.	Date when within-named Licensed person entered Proprietor's Service.	Date of quitting Service.

* Provided that one child, or if there be more than one, two children under the age of 10 years shall count as one person.

(3) Waiting :—

When hired by distance and at the request of the hirer made to wait—

For each fifteen minutes completed, whether in one stoppage or in several stoppages—

	s.	d.
For a four-wheel cab hired within the four-mile circle ...	0	6
For a hansom, wherever hired, and a four-wheel cab hired without the circle	0	8

Schedule K.

Schedule K is revoked, and the following order is substituted.

STATUTORY RULES AND ORDERS, 1920, No. 293.

I hereby revoke Schedule K of the Order made by the Secretary of State under the said Acts and dated the 1st of May, 1917 (†) and the whole of the Order made by the Secretary of State under the said Acts and dated the 23rd October, 1917 (‡).

The following shall be substituted for Schedule K of the aforesaid Order of the 1st of May, 1917 :—

The fare payable for the hiring of a Motor Cab, fitted with a Taximeter recording the fare by a combination of time and distance, shall be according to the following scale :—

(a) For a distance not exceeding one mile, or for time not exceeding ten minutes, 1s.

(b) Exceeding one mile or ten minutes :—

(1) For each quarter of a mile, or time not exceeding two and a half minutes, 3d.

(2) For any less distance or time, 3d.

In addition to the above the driver may be entitled to charge the following extra payments :—

(1) For luggage :—

For each bicycle, child's mailcart, or perambulator, 9d.

For each other package carried outside, 3d.

(2) Extra persons :—

When licensed to carry more than two persons :—

For each additional person beyond two for the whole journey, 9d.

* Provided that one child, or if there be more than one, two children under the age of ten years shall count as one person.

This Order shall be read together with the said Order of the 1st of May, 1917.

This Order shall come into force on the first day of March, 1920.

20th February, 1920.

Schedule L.

The fare payable for the hiring of a Horse-drawn Cab fitted with a Taximeter, recording the fare by a combination of time and distance, shall be according to the following scale :—

(a) For a distance not exceeding one mile, or time not exceeding twelve minutes s. d.
... .. 0 6

(b) Exceeding one mile or twelve minutes—

(1) For each half of a mile, or time not exceeding six minutes ... 0 3

(2) For any less distance or time 0 3

In addition to the above the driver may be entitled to charge the following extra payments :—

(1) For luggage—

For each bicycle, child's mail cart, or perambulator s. d.
... .. 0 6

For each other package carried outside 0 2

NOTE.—Luggage carried on the footboard of a hansom so that the doors will not close over it, is deemed to be outside.

(2) Extra persons :—

When licensed to carry more than two persons—

For each additional person beyond two, for the whole journey 0 6

* Provided that one child, or if there be more than one, two children under the age of ten years shall count as one person.

* It has been decided that an infant in arms does not count.

S. R. and O., 1917, No. 426. † S. R. and O., 1917, No. 1079.

See footnote p. 54, authorizing an additional charge of 6d.

*Schedule M.*DRIVER OR CONDUCTOR OF METROPOLITAN STAGE CARRIAGES
(32 & 33 Vict. c. 115.)

LICENCE.

No. _____

Dated the _____ day of _____, one thousand nine hundred and _____
To _____
of _____

to act as driver or conductor of Metropolitan Stage Carriages _____

and none other for one year, unless this Licence is sooner revoked or suspended.

By Order of His Majesty's Principal Secretary of State.

Commissioner of Police of the Metropolis.

Metropolitan Police Office,
New Scotland Yard.

This Licence is issued subject to the conditions of 32 & 33 Vict. c. 115, and of all Orders made by His Majesty's Principal Secretary of State in pursuance thereof, and, if not revoked, suspended, or renewed, must be delivered up at this Office on the _____ day of _____

Date.	Memorandum of Change of Abode.	Entered at the Office.
_____	_____	_____

Photograph of the Licensed Person.

Until a photograph is available the following particulars must be inserted here in lieu thereof :—

Age _____ Hair _____
Height _____ Complexion _____
Eyes _____

Signature of the Licensed Person.

Entries as required by the Act 6 & 7 Vict. c. 86, s. 8, and by the 32 & 33 Vict. c. 115, and the Orders made in pursuance thereof, incorporating the said requirements, are to be made by proprietors in the respective columns beneath :—

Name of Proprietor.	Address of Proprietor.	Date when within-named Licensed person entered Proprietor's Service.	Date of quitting Service.
_____	_____	_____	_____

*Schedule N.*ASSISTANT CONDUCTOR OF METROPOLITAN STAGE CARRIAGES:
(32 & 33 Vict. c. 115.)

LICENCE.

No. _____

Dated the _____ day of _____, one thousand nine hundred and _____
To _____
of _____

to act as Assistant to Conductor of Metropolitan State Carriages _____
and in none other capacity for one year, unless this licence is sooner revoked or
suspended.

By order of His Majesty's Principal Secretary of State.

Commissioner of Police of the Metropolis.

Metropolitan Police Office,
New Scotland Yard.

This Licence is issued subject to the conditions of 32 & 33 Vict. c. 115, and
of all Orders made by His Majesty's Principal Secretary of State in pursuance
thereof, and if not revoked, suspended, or renewed, must be delivered up at this
office on the _____ day of _____

Date.	Memorandum of Change of Abode.	Entered at the Office.

Photograph of the Licensed Person.

Until a photograph is available the following particulars
must be inserted here in lieu thereof :—

Age _____ Hair _____
Height _____ Complexion _____
Eyes _____

Signature of the Licensed Person.

Entries as required by the Act 6 & 7 Vict. c. 86, s. 8, and by the 32 & 33
Vict. c. 115, and the Orders made in pursuance thereof, incorporating the said
requirements, are to be made by proprietors in the respective columns beneath :—

Name of Proprietor.	Address of Proprietor.	Date when within-named Licensed person entered Proprietor's Service.	Date of quitting Service.

XVI—(A) CONDITIONS OF FITNESS FOR PUBLIC CARRIAGES.

Proprietors and others before entering into Contracts for new types of Motor Cabs or Omnibuses would do well to send the drawings to New Scotland Yard for consideration as to general suitability and fitness for public service in London.

MOTOR CABS.

Notice to Proprietors as to Conditions for obtaining a Certificate of Fitness for Motor Cabs.

All carriages must be presented for inspection in a thoroughly good condition and no carriage will be certified fit for public use unless it is properly painted and varnished; but proprietors may, if they so desire, apply for a preliminary inspection of the chassis.

The following conditions must also be strictly complied with:—

1. Cabs propelled by mechanical means, and subject to the Light Locomotives Act (59 & 60 Vict. c. 36), Motor Car Act (3 Edw. VII c. 36) and Roads Act, 1920 (10 & 11 Geo. V c. 72) must comply with the requirements of those or any subsequent Acts, and of the Orders of the [Ministry of Transport] made in pursuance thereof.

2. Each new type of motor vehicle intended for licensing must be presented at New Scotland Yard for inspection. The proprietor must at the time of inspection produce the certificate of registration, also one from the maker stating that the materials of which all parts of the vehicle are constructed are good, that the machinery is safe, and that the vehicle is in every way fit for use as a public carriage.

3. If, after inspection, the vehicle is approved, such approval may extend to all vehicles of that description, and others of the same type need not be again presented at New Scotland Yard, except as herein-after provided, but taken to the passing station of the district, provided a certificate from the maker is submitted with each vehicle presented for licensing purposes, stating that it is in every respect similar to that already approved and respecting which a certificate had been furnished.

It must be clearly understood that if, after the type has been passed, defects develop, which in the opinion of the Commissioner render it unsuitable as a type for public service, the Commissioner reserves the right to withdraw such approval entirely, or until the defects have been remedied to his satisfaction.

4. A certificate from the proprietor, stating that there has been no alteration in the design of the machinery since the previous inspection and date covered by the maker's certificate, must be presented with each cab submitted for *renewal* of licence.

Should any alteration be made, full particulars of such must be stated and the same course may be required as for a first inspection.

5. Should it be deemed necessary, an expert will be employed to advise on the subject. The fee for the expert examination must be

deposited by the proprietor with the Commissioner, which fee will be returned should the vehicle be passed without alteration being required.

6. The following measurements and requirements for a Cab should be adhered to :—

Chassis

- (a) Clearance ... All the underparts of the vehicle inside the pivots of the front axle and steering arms (which must be placed as near as possible to the road wheels) as far back at least as the rear axle must clear the ground at *least 10 inches*, sufficient allowance in addition being made to provide for the wear of the tires, set of the springs, or other causes of lessened height, so that the minimum clearance of 10in. is at all times maintained.
- (b) Springs ... Must be properly hung, of sufficient strength, and flexibility to meet all purposes which may be required of them. The rear springs must be attached to, or bear upon the back axle or axle casing as near to the road wheels as possible, and the distance between the outsides must not be less than 40in. Where a cross spring is used, it must be so applied that it shall not cause or increase side sway. The front springs must be as wide apart as possible, and not less than 26in. from outside to outside.
- (c) Wheel-base ... Must in all cases be so proportioned that skidding or improper movements shall be as far as possible avoided.
If it be found that a vehicle is apt to skid or otherwise move improperly and independently of the steering, the Commissioner reserves the right to serve a notice on the proprietor "not to use," and may refuse to licence the vehicle again until the defects have been remedied.
- (d) Wheel track... For both front and rear wheels should coincide and the measurement from centre to centre, taken in line with the axles, must not be less than 4ft. 4in. The front track must be the same as that of the rear wheels or within $2\frac{1}{2}$ per cent. thereof, but in no case should it be less in front than rear.
- (e) Road wheels... Must be of sufficient and suitable strength and diameter, and not of undue weight.
- (f) Tires ... The material of which the tires are made must be soft and elastic, *e.g.*, pneumatic rubber tires.
- (g) Length ... Must be such that the total length of the vehicle complete in no case exceeds 14 feet.
- (h) Breadth ... The breadth must not be greater than 5 ft. 9 in. at any part.

7. Each vehicle must be fitted with at least two independent brakes, each capable of stopping and holding the carriage under all conditions. They must also be fitted with an approved form of compensating device or so that the braking effect is the same on each road wheel.

Note.—The maintenance of the brakes in perfect order is of the utmost importance, and this will at all times be insisted upon. They will at any time be subject to inspection by Police.

8. The brakes should, as far as possible, be so affixed as to be capable of easy adjustment, and at least one must be applied by a pedal. Brakes will not be deemed independent which are operated by pedals, or levers acting through the same connections, upon the same brake blocks, *and at least one must act directly upon the road wheels without any connection with the propelling gears.*

9. The operation of either brake must in no case declutch the engine from the transmission gear.

10. Each car must be capable of being readily steered and able to turn on each lock, and proceed in a contrary direction within a roadway not more than 25ft. wide from kerb to kerb.

In turning, the wheels must not foul other parts of the car.

11. The steering arms, and other connections thereof, must be of ample strength, and as far as possible protected from damage by collision.

12. The ball and socket joints of steering connections, when such are used, should not be pendent but the longitudinal or transverse rods must be carried *upon* and above the ball.

13. All brake and steering connections secured with bolts or pins must have such bolts threaded and fitted with nuts, which latter must be locked or pinned. The whole of the brake and steering parts must be maintained in perfect order and will be subject to inspection at any time.

14. All parts connected by bolts, or studs and nuts, subject to severe vibration, must be fastened by lock nuts or by nuts and approved spring or lock nut washers, to prevent their working loose, and any carriage with lamp brackets or other fittings loose, and likely to cause unnecessary noise, will be regarded as unfit for public service.

15. The machinery must be so constructed that no undue noise or vibration arises from its use. Exhaust silencer "Cut Outs" will not be permitted.

The maintenance of the carriage in a satisfactory condition in these respects will be *strictly* enforced.

16. All cabs must be so geared that their highest speed shall not be in excess of the maximum laid down in the [Ministry of Transport] Order, *viz.*, 20 miles an hour, or an approved device which shall give a distinct and audible warning as often and so long as the speed of 20 miles an hour is exceeded, may be required before licence.

17. When a vehicle is submitted for inspection the gear ratios must be supplied, and these ratios may not be altered without the authority of the Commissioner. The revolutions per minute of the engine when running at the speed which will give 20 miles per hour with the stated highest speed gear must also be supplied.

18. The lubrication of the engine and the carburation of the working mixture must be so controlled that smoke shall not be emitted with the exhaust, or from any other part.

Proprietors of vehicles not properly maintaining them in accordance with this requirement will be served with a notice "Not to use" until the defect has been remedied.

19. Carburettors or other petrol receptacles, unless they are suitably encased or screened, must not be placed in close proximity to magnetos, connections of wires carrying electric current, or to engine exhaust pipe.

20. When a guard, tray, or undershield is fixed beneath the engine and adjacent machinery, it must be so constructed that any overflow of petrol shall not be retained in the tray.

21. Suitable and approved appliances for extinguishing fire must be carried in such a position as to be readily available for use.

22. Tanks for petrol or other liquid fuel must be made of suitable material, properly constructed, and of sufficient strength. They must be so placed that any overflow shall not fall upon wood work, or accumulate where it can be readily ignited.

23. All wires carrying electric current must be properly insulated and protected from injury, and so placed that they cannot be the cause of danger.

24. Effective means must be adopted for preventing the heat of the motor, generator or of the exhaust pipe connections, from injuriously affecting any parts of the vehicle or the comfort of the passengers.

25. The exhaust pipe must not be led inside the tray or undershield or be fixed in such a position that oil, or any vaporizable or inflammable material, is likely to be dropped upon it.

26. The outlet from the silencer must not be so placed as to project the exhaust directly to the rear or on to the roadway, or be so placed, or so directed as to alarm horses at the side of or immediately behind the vehicle.

27. The machinery must be so constructed or placed that oil or grease from the bearings cannot drop on to the roadway, and the maintenance of the vehicle in this respect will be strictly enforced.

28. When trays are fixed beneath the parts they must have suitable webs for retaining the oil when ascending or descending hills, or be otherwise suitably constructed with that object. Oil or other materials collecting in the trays must be cleaned out frequently and not allowed to accumulate.

29. If requisite a bar or bars, having an eye or bridle to surround the propeller shaft, must be so fixed that in the event of either the shaft or gear-box breaking, other damage or danger therefrom shall be minimized.

30. Driving chains and sprockets must be protected by a suitable guard.

31. Upon at least one of the front and upon one of the rear wheels of every vehicle there must be an approved means of preventing or limiting side-slip in use at all times.

32. The petrol supply pipe must be so led that a cock is provided outside the frame, readily accessible at all times to shut off the supply.

Body.

33. Body, Hansom pattern—

- (a) Height (inside) From the top of seat cushions to the roof at the lowest part, or, where the front window frames fold up toward the roof to the lowest part of the frame, must not be less than 40in.
- (b) Width (inside) At any point must not be less than 40in.
- (c) Kneespace, &c. From the back squab to the nearest point of door pillars must not be less than 26in., and for knee space not less than 28in.

Body, Landaulette or Brougham pattern—

- (a) Height (inside) From the top of seat cushions to the roof at the lowest part, must not be less than 40in.
- (b) Width (inside) Minimum must not be less than 40in.
- (c) „ (doorway) Must not be less than 21in., and the door must be so constructed that it opens to the full extent of the opening and causes no inconvenience to passengers.
- (d) Knee space ... Where the cab is provided with front and back seats the measurement between the front edges of cushions must not be less than 19in.
- (e) Seats (width) ... Of front seat from the body trimmings to front edge of seat must not be less than 14in., and of back seat from the squab to front edge not less than 16in.
- (f) „ (length) ... Of the back seat must not be less than 40in., and of the front (inside) seats not less than 34in., for two persons.
- (g) „ (method of affixing) Front “folding” or “cricket seats” must be fitted with spring hinges so that they automatically rise and prevent an obstruction to the doorway. This form of seat must, when fitted as two single seats be not more than 1½in. apart and kept as far from the doors as possible.
- (h) „ (outside) A single seat only is permitted for the driver, and under no circumstances will any person be allowed to ride beside the driver.
- (i) Steps ... When the floors are above 18in. from the ground there must be suitable steps and commode rails for the convenience of passengers.

34. The floor boards of the inside must be so arranged or secured that they cannot be the cause of danger to a passenger. The floor boards to the driver's platform must be of sufficient strength to carry the weight of luggage that may be placed upon them and they must be so affixed that they cannot cause any inconvenience in the working of the cab or give rise to any danger.

35. The cushions of seats must be covered with leather, cloth of good quality or other suitable material, and not stuffed with hay, straw, seaweed, or whalebone shavings. Inferior American, or similar cloth, or any material of inferior quality, is not regarded as suitable for public carriages.

36. The doors, windows, seats, roof, springs, wheels, cushions, linings, panels, &c., and all furniture and appointments of the cab, must be in proper order and repair, the paint and varnish in good condition, and the inside perfectly clean.

37. Every cab must be provided with an approved means of communication between the passenger and the driver. This should also be so placed as to be readily accessible to the passenger and to obviate the danger of a driver having to turn his head whilst directions are being given.

Short open tubes are not suitable.

38. An approved pattern horn having a single deep toned note for giving audible warning of the approach of the cab must be provided.

39. Straps with holes must be placed on the window frames (where considered necessary), and metal or bone knobs must be fixed inside the cab, to enable the windows to be partially closed.

40. When drop windows to hansom pattern bodies are used they must be so constructed that they may be raised both by the driver and by the hirer in such a manner as not to cause inconvenience.

41. Some effectual means must be provided to prevent the rattling of window frames and glass.

42. There must be provision for proper ventilation without opening the windows. When front ventilators are used they must be adjustable and should not be cut over the tenon of front light pillar.

43. Provision must be made for the conveyance of a reasonable quantity of luggage and efficient means provided by chains, straps, or other means of securing it. When it is intended to carry luggage on the roof there must also be an approved fixed roof guard rail.

44. The number of passengers which the vehicle is licensed to carry must be legibly painted on the back of the carriage outside

General.

45. Head lights of great brilliancy or likely to have a dazzling effect will not be permitted.

46. The lamps required by the following regulations must be thoroughly effective for the purpose for which supplied and the proprietor will be held responsible for the maintenance of the lamps in this condition.

47. A lamp must be fixed on the right or "off" side of the cab to show a white light to the front, and if the lamp is made to show a light to the rear that light must be red. An approved lamp must also be fixed at the back of the cab to illuminate the identification plate, and if the "off side lamp" does not show a red light to the rear the back lamp must show a red light on the extreme off side. An approved lamp must also be provided to illuminate the taximeter. (See para. 32 of Order of Secretary of State on p. 44 *ante*.)

48. Where acetylene or other gas is used to light the cab, the cylinders or vessels which contain the gas, or in which it is generated, must be fixed outside in such a position as to be removed as far as possible from the danger of accidental ignition.

49. Side or rear lamps must not be fixed in close proximity to the petrol tank.

50. When accumulators or other electrical appliances are used for the purpose of providing the means of illumination they must be so placed that they cannot be a source of danger, and must be of approved type and capacity.

51. No celluloid or xylonite fittings shall be placed inside or outside the cab, but this does not apply to the accumulator cells.

52. A taximeter of an approved type must be fitted to every motor cab presented for licensing.

53. The floor must be covered with mats of rubber, coir, or of some other suitable material.

54. No printed, written or other matter shall appear on the inside or outside of the cabs, or be carried, by way of advertisement.

55. The identification plates required by the Regulations of the Ministry of Transport must not be affixed to the front or rear axles but must be in prominent positions not less than 2ft. from the ground. Suitable provisions should also be made as by a block, etc., to which the licence plate may be securely affixed. The interior should be so upholstered that the "fare" and small "number" plates may be affixed without damage to the trimmings.

Note.—Though the above conditions may have been complied with, yet, if there be anything in the construction, form, working, or general appearance which, in the opinion of the Commissioner, renders the cab unfit for public use, it will not be licensed.

The Commissioner of Police of the Metropolis.

Public Carriage Office,
New Scotland Yard, S.W.1.
14th March, 1910.

METROPOLITAN STAGE (MOTOR) CARRIAGES.

Notice to Proprietors as to Conditions for obtaining a Certificate of Fitness for Motor Omnibuses.

All carriages must be presented for inspection in a thoroughly good condition, and no carriage will be certified fit for public use unless it is properly painted and varnished; but proprietors may, if they so desire, apply for a preliminary inspection of the chassis.

The following conditions must also be strictly complied with:—

1. Stage carriages propelled by mechanical means, and subject to the Light Locomotives Act (59 and 60 Vict. c. 36); Motor Car Act (3 Edwd. VII c. 36); Roads Act, 1920 (10 & 11 Geo. V c. 72) must comply with the requirements of those or any subsequent Acts, and of the Orders of the [Ministry of Transport] made in pursuance thereof.

2. Each new type of motor vehicle intended for licensing must be presented at New Scotland Yard for inspection. The proprietor must at the time of inspection produce the certificate of registration, also one from the maker stating that the materials of which all the parts of the vehicle are constructed are good, that the machinery is safe, and that the vehicle is in every way fit for use as a public carriage.

3. If, after inspection, the vehicle is approved, such approval may extend to all vehicles of that description, and others of the same type need not be again presented at New Scotland Yard, except as hereinafter provided, but taken to the passing station of the district, provided a certificate from the maker is submitted with each vehicle presented for licensing purposes, stating that it is in *every* respect similar to that already approved and respecting which a certificate had been furnished.

It must be clearly understood that if, after the type has been passed, defects develop, which in the opinion of the Commissioner render it unsuitable as a type for public service, the Commissioner reserves the right to withdraw such approval entirely, or until the defects have been remedied to his satisfaction.

4. A certificate from the proprietor, stating that there has been no alteration in the design of the machinery since the previous inspection and date covered by the maker's certificate, must be presented with each omnibus submitted for *renewal* of licence.

Should any alteration be made, full particulars of such must be stated, and the same course may be required as for a first inspection.

5. Should it be deemed necessary, an expert will be employed to advise on the subject. The fee for the expert examination must be deposited by the proprietor with the Commissioner, which fee will be returned should the vehicle be passed without alteration being required.

6. *When making application for the carriage to be inspected the proprietor must specify the route or routes upon which he intends the vehicle to ply, and these routes may not be departed from except after due notice has been given to the Commissioner.*

(NOTE.—Nothing in this Regulation shall be taken to prohibit a proprietor changing the route as often as he chooses, provided the carriage has been previously certified to be fit for such route.)

*7. The following measurements and requirements for an omnibus with top-deck seats must be strictly adhered to, the number of passengers to be provided for on such vehicles must in no case exceed sixteen inside and eighteen outside, but if a less number than thirty be provided for, the number of passengers carried upon the outside must not be in greater proportion than seven outside to six inside :—

*8. Weight.

Omnibuses must be so constructed that the following maxima of weight are in no case exceeded :

Unladen 3 tons 10 cwt.

Or if the manufacturers prefer—

Back axle weight laden 4 tons

Front axle weight laden 2 tons

Total weight laden not to exceed... ... 6 tons when the vehicle is fully loaded and in every respect ready for service ; 140 lbs. to be allowed for each passenger as well as the driver and conductor.

If the weight is not distributed in the proportion of two-thirds to bear upon the rear axle, it must be so arranged or so distributed that undue weight is not thrown upon the front, nor must the maximum of 6 tons be in *any* case exceeded.

* Departures from these regulations as to maximum number of persons and weight have been allowed with the special approval of the Commissioner.

9. Chassis, length .. Not to exceed 20 ft. ; but if the platform is to be constructed upon the frame the total length may be 23 ft.
- „ clearance All the underparts of the vehicle inside the pivots of the front axle and steering arms (which must be placed as near as possible to the road wheels) as far back at least as the rear axle must clear the ground at *least 10 inches when the vehicle is fully loaded*, sufficient allowance in addition being made to provide for the wear of the tires, set of the springs, or other causes of lessened height, so that the minimum clearance of 10 in. is at all times maintained.
- „ springs .. Must be properly hung, of sufficient strength and flexibility to meet all purposes which may be required of them. The rear springs must be attached to, or bear upon the back axle or axle casing as near to the road wheels as possible, and the distance between the outsides must not be less than 45 in. Where a cross spring is used, it must be so applied that it shall not cause or increase side sway. The front springs must be as wide apart as possible, and not less than 38 in. from outside to outside.
- „ wheel-base Should not exceed 14 ft. 6 in., and it should in all cases be so proportioned that skidding or improper movements shall be as far as possible avoided.
- (NOTE.—If it is found that a vehicle is apt to skid or be otherwise improperly moved unduly, the Commissioner reserves the right to serve a notice on the proprietor “not to use,” and may refuse to license the vehicle again until the defects have been remedied).
- „ wheel track For both front and rear wheels should coincide, and the measurement from centre to centre, taken in line with the axles, must not be less than 5 ft. 6 in. In no case must the front track be less than the rear.
- „ road wheels Must be of sufficient and suitable diameter, but not made so heavy as to throw an undue strain upon the steering gear or other parts.
- „ tires .. The material of which the tires are made must be soft and elastic so as to reduce vibration, &c. Sectional tires must not be fitted to a vehicle submitted for inspection and licence.
- „ length .. Must be such that the total length of the vehicle complete in no case exceeds 23 ft.
- „ breadth .. The breadth must not be greater than 7 ft. 2 in. at any part.

9A. The minimum size tire that will be permitted is :—

Front, 900 mm. x 100 mm.

Rear, 1000 mm. x 90 mm. or twin equivalent.

10. Each vehicle must be fitted with at least two independent brakes, each capable of stopping and holding the carriage under all conditions. They must also, where necessary be fitted with an approved form of compensating device.

NOTE.—The maintenance of the brakes in perfect order is of the utmost importance, and this will at all times be insisted upon. They will at any time be subject to inspection by police.

11. The brakes should, as far as possible, be so affixed as to be capable of easy adjustment, and at least one must be applied by a pedal. Brakes will not be deemed independent which are operated by pedals, or levers acting through the same connections, upon the same brake blocks, or upon the same brake drums, *and at least one must act directly upon the road wheels without any connection with the propelling gears,*

12. The operation of either brake must in no case declutch.

13. Stage carriages which are intended to ply upon routes which have long or steep hills, will be subject to a special test, and additional brakes or other fittings may be required.

14. Each vehicle must be capable of being readily steered and able to turn a corner without unduly interfering with other traffic.

15. The steering arms, and other connections thereof, must be of ample strength, and as far as possible protected from damage by collision.

16. The ball and socket joints of steering connections, when such are used, should not be pendent but the longitudinal or transverse rods must be carried *upon* the ball.

17. All brake and steering connections secured with bolts or pins must have such bolts threaded and fitted with nuts, which latter must be locked or pinned. The whole of the brake and steering parts must be maintained in perfect order and will be subject to inspection at any time.

18. All parts connected by bolts, or studs and nuts, subject to severe vibration, must be fastened by lock nuts or by nuts and approved spring or lock nut washers, to prevent their working loose and causing noise, and any carriage with lamp brackets or other fittings, loose, and likely to cause unnecessary noise, will be regarded as unfit for public service.

19. The machinery must be so constructed that no undue noise or vibration arises from its use.

The maintenance of the carriage in a satisfactory condition in this respect will be *strictly* enforced.

20. Every new vehicle must be submitted at a time and place appointed, to be specially tested in respect of noise and vibration.

21. All omnibuses must be so geared that their highest speed shall not be in excess of the maximum laid down in the [Ministry of Transport] Order, viz., 12 miles an hour, or be fitted with an approved device which shall give a distinct and audible warning as often and so long as the speed of 12 miles an hour is exceeded.

22. When a vehicle is submitted for inspection the gear ratios must be supplied, and these ratios may not be altered without the authority of the Commissioner. The revolutions of the engine when running at the speed which will give 12 miles per hour with the stated highest speed gear must also be supplied.

23. The lubrication of the engine and the carburation of the working mixture must be so controlled that smoke shall not be emitted with the exhaust, or from any other part.

Proprietors of vehicles not properly maintaining them in accordance with this requirement will be served with a notice "Not to use" until the defect has been remedied.

24. Carburettors or other petrol receptacles, unless they are suitably encased or screened must not be placed in close proximity to magnetos, or to connections of wires carrying electric current.

25. When a guard, tray, or undershield is fixed beneath the engine and adjacent machinery, it must be so constructed that any overflow of petrol shall not be retained in the tray.

26. Suitable and approved appliances for extinguishing fire must be carried in such a position as to be readily available for use.

27. Tanks for petrol or other liquid fuel must be made of suitable material, properly constructed, and of sufficient strength. They must be so placed that any overflow shall not fall upon woodwork, or accumulate where it can be readily ignited. The filling nozzle or inlet for the petrol or other liquid fuel should, where possible, be brought to the outside of the body.

28. All wires carrying electric current must be properly insulated and protected from injury, and so placed that they cannot be the cause of danger.

29. Effective means must be adopted for preventing the heat of the motor, generator or of the exhaust pipe connections, from injuriously affecting any parts of the vehicle or the comfort of the passengers.

30. The exhaust pipe must not be led inside the tray or undershield or be fixed in such a position that oil, or any vaporisable or inflammable material, is likely to be dropped upon it.

31. The outlet from the silencer must not be so placed as to project the exhaust directly to the rear or on to the roadway, or be so placed, or so directed as to alarm horses immediately behind the vehicle.

32. The machinery must be so constructed or placed that oil or grease from the bearings cannot drop on to the roadway, and the maintenance of the vehicle in this respect will be strictly enforced.

33. When trays are fixed beneath the parts, they must have suitable webs for retaining the oil when ascending or descending hills, or be otherwise suitably constructed with that object. Oil or other material collecting in the trays must be cleaned out frequently and not allowed to accumulate.

34. If requisite a bar or bars, having an eye or bridle to surround the propeller shaft, must be so fixed, that in the event of either the shaft or gear box breaking, other damage or danger therefrom shall be minimised.

35. Driving chains and sprockets must be protected by a suitable guard.

Body.

36. Body, camber ... The camber should not be more than 3 in., but may, if the proprietor so desires, be made up to but not exceeding 5 in., provided the outside of roof is so constructed as to give an equivalent in all respects to a 3 in. camber, and the maximum height from the ground is not in any way increased.
- „ height ... The height inside measured in the centre line of omnibus from the top of the floor battens to the lower edge of the hoop sticks or other such projections must not be less than 5 ft. 10 in., nor be more than 6 ft. to the centre line of roof-boards. From ground to the spring of roof outside or edge of drip-boards, the height must not be greater than 9 ft., nor must the height to the outside centre of roof be more than 9 ft. 3 in.
- „ breadth (inside) The width between seat backs must not be less than 56 in. when the seats are placed lengthwise.
- „ guard rails The top of the side guard rails must be at least 3 ft. from the top of the roof battens at the side, and 18 in. above the highest part of the seat. The front and back rails must follow the camber of the roof and be at least 3 ft. 3 in. high when measured from the top of the roof battens.
- „ landing board The space from the off hind roof seat, or any projection thereon (other than a commode rail not exceeding 3 in. deep) to the back guard rail, must not be less than 26 in.
- „ seats ... At least 16 in. measured in a straight line must be allowed for each passenger on every seat, which seat must be fit and proper and convenient for sitting on. When cross or “garden” seats are fitted either inside or on the roof, there must be at least 26 in. clear from the inside back of one to the back of the seat in front of it, so that there shall be room for the knees of passengers.
- „ platform... The length of the platform for omnibuses with seats on top deck must in no case be less than 36 in.

36A. Side screens to drivers' cabin will not be permitted.

37. No canopy or other similar superstructure will be permitted on the roof of an omnibus constructed to carry passengers on the top deck.

38. Corner pillars for bodies must be of sufficient strength, and the body must be properly ironed and stayed to give the necessary strength for the weight to be carried and to resist the effects of the vibration to which it is liable.

39. No seat will be permitted which, when occupied, is likely to cause obstruction to persons using the landing board or gangways.

40. The backs of all seats must be closed to prevent, as far as possible, the pockets of passengers being picked.

41. Where cushions are provided for seats, they must be covered with leather, cloth of good quality, rattan, or other suitable material. Inferior American or similar cloth, or any material of inferior quality is not regarded as suitable for public carriages.

42. The steps for entrance to the inside and to the roof must be placed on the near side and at the rear of the carriage. . . They must be safe and convenient ; suitable and efficient means being provided by rails or bands to assist passengers entering and leaving, and the lowest step must not be more than 15 in. or less than 10 in. above the ground.

43. The risers of all steps must be closed and the treads of each fitted with an approved form of tread plate.

44. The outer stringer of staircase must be so constructed, or a band is to be so placed, as to act as a decency screen to persons ascending or descending. There must also be an intermediate guard-rail, where necessary, between the hand-rail and the stringer.

45. No aperture must be left at the top landing board through which a passenger might inadvertently step.

46. There must be proper ventilation without the necessity for opening the windows, except where small separate ventilating windows are provided, in which case suitable provision must be made for the opening to be adjustable.

47. When the side lights are made to be lowered such provision must be made (by means of guard rails, or otherwise) that the arm of a passenger cannot be thrust through so as to be endangered by passing vehicles.

48. Some effectual means must be provided to prevent the rattling of window frames and glasses.

49. The carriage must be suitably lighted inside and outside. Where acetylene or other gas is used, the cylinders or vessels which contain the gas, or in which it is generated, must be fixed outside in such a position as to be removed as far as possible from the danger of accidental ignition. The pipes are to be led along the outside but not along the outside of the roof.

50. Head lights of great brilliancy will not be permitted.

51. A horn, gong, or other approved means for giving due warning of the approach of the vehicle must be provided.

52. Celluloid or xylonite fittings will not be permitted inside or outside the vehicle, but this does not apply to accumulator cells.

53. A box or other approved means must be fitted to the front and to the rear of the vehicle to exhibit the destination to which the carriage is on each journey to proceed. The letters and background must be black and white, the letters of a height of at least $4\frac{1}{2}$ in. and of a proportionate thickness.

54. The principal points of the route are subject to the approval of the Commissioner and must be painted in black and white of letters not less than 4 in. high and of a proportionate thickness and be exhibited as directed to the front and rear. These boards are to be so made that the points of route are shown in geographical sequence according to the direction the vehicle is travelling.

Route boards may also be affixed to the sides of the vehicle.

55. The destination box required in Regulation 53 is to be fitted in front in line with or immediately above the centre of the front top guard rail, in the rear in line with or above the rear top guard rail but as near the rear side as possible.

The routes required in Regulation 54 to be exhibited to the front and rear are to be placed immediately below the destination indicator boxes to the full depth of the guard rails and standards.

56. The destinations and route boards are to be illuminated by night in an approved manner for the guidance of intending passengers.

57. The following particulars must also be suitably painted on the carriage :—

- (a) The weight and rate of speed required by the Orders of the [Ministry of Transport].
- (b) The full Christian name and surname of proprietor, on each side clear of the wheels.
- (c) The words "Metropolitan Stage Carriage;" and the number of the number plate, both on the outside and inside. The writing outside to be placed behind the carriage on the rear side.
- (d) Fares must be painted legibly inside.
- (e) The number of passengers which the vehicle is licensed to carry must be painted legibly inside and outside.

58. No writing or lettering in the form of an advertisement will be allowed on the front or rear of the carriage in colours of black and white, or in such form or position as to hide, or in the opinion of the Commissioner to interfere with the easy legibility of the destination indicators or route boards.

59. No printed, written or other matter shall appear on the outside or inside of the carriage, or be carried by way of advertisement, except such, if any, as may be approved by the Commissioner.

NOTE.—The positions approved by the Commissioner for the exhibition of advertisements are given in the schedule annexed.

60. No person, except a learner, fitter, or other official when specially authorized by the proprietor (such person to carry a special pass or badge), or a person authorized by the Commissioner, shall be allowed to ride beside the driver at any time.

61. No cans, or other receptacles for oil, water, etc., are to be carried on the driver's footboard, nor may anything be placed in such a manner or position as will be likely to hamper the driver or otherwise give cause for complaint.

62. Each carriage must be fitted with an approved means for enabling passengers both inside and outside to signal to the driver or conductor when required.

63. Each carriage must be fitted with an approved form of side lifeguard.

NOTE.—*Though the above conditions may have been complied with, yet, if there be anything in the construction, form, or general appearance which, in the opinion of the Commissioner, renders the carriage unfit for public use, it will not be licensed.*

The Commissioner of Police of the Metropolis.

Public Carriage Office,
New Scotland Yard.
30th August, 1909.

Schedule of positions for the exhibition of advertisements on Motor Omnibuses authorized by the Commissioner.

Front...	...	...	From the roof to top of guard rail on either side leaving a space of 3 ft. in the centre for the routes, etc.
Rear ...	...	...	From the canopy to top of guard rail upon that part not required for the destinations and route.

NOTE.—The colour of these advertisements to be entirely distinct from that of the route boards and to be so placed or shown that no confusion in reading the routes, etc., is, in the opinion of the Commissioner, likely to arise.

„	...	...	Circular or oval boards to be affixed upon the outer stringers of staircase.
„	...	...	Diamond or similar boards under staircase.
„	...	...	Hanging boards under platform.
„	...	...	Risers of all steps.
„	...	...	Step treads in corrugated plates, etc.
Sides	...	...	From the roof to the top of guard rails, the whole length.
Inside	...	...	Roof boards.
„	...	...	Above ventilating windows.
„	...	...	Ventilating windows.
„	...	...	Side lights, if of suitable depth, for not more than 6 in. from ventilator rail (semi-transparencies only).
„	...	...	Finger plates to doorway.
Outside	...	...	Seat backs.
„	...	...	Inside of front guard.

Schedule of positions for the exhibition of advertisements on Tramway Cars authorized by the Commissioner.

Top deck	...	...	Seat backs.
„	...	...	Canopy roof or top deck cover.
Inside	...	...	Ventilating windows.
„	...	...	Side lights, if of suitable depth, for not more than 6 in. from ventilator rail (semi-transparencies only).
„	...	...	Roof boards.
„	...	...	Finger plates on door.
„	...	...	Bottom of glass of door not more than 6 in. deep.
Outside	...	...	The sides from roof proper to top of guard rails or top deck cover panels.
„	...	...	Step risers.
„	...	...	Step treads, suitable corrugated plates.
„	...	...	Side of dash, upon a suitable board, not more than 2 ft. 6 in. wide but in no case to extend to circular part or to show to the front or rear.
„	...	...	Side board on guard rail of intermediate landing board of divided staircase.

HACKNEY CARRIAGES (ANIMAL POWER).

Notice to Proprietors as to Conditions for obtaining a Certificate of Fitness.

Hackney carriages must be submitted for inspection in a thoroughly good condition, and no hackney carriage will be certified fit for public use unless it is newly painted and varnished. The following conditions must also be strictly complied with :—

1. That the number of persons to be carried be *distinctly* painted on some part of the back of the carriage.

2. That 16 in. at least, measuring in a straight line, are allowed on the seats for each person, and also room for the legs and feet.

3. That all hansom cabs, constructed to carry two persons, shall be at least 40 in. in width, measuring under each window, and 28 in. from the back of the seat to inside of the door pillar.

4. That there is sufficient height inside : not less than 40 in. from the seat to the roof, or in the case of hansom cabs, to the window frames, measuring from the top of the cushion.

5. That all carriages fitted with noiseless or rubber-tired wheels have bells affixed either to the carriage, or to the harness of the horses drawing the same.

6. That each four-wheeled carriage has a check string.

7. That straps with holes are placed on the window frames (where considered necessary), and that metal or bone knobs are fixed inside the carriage, to enable the windows to be partially closed.

8. That carriages, the floors of which are above 18 in. from the ground, have suitable steps.

9. That an iron frame and chains, or some equally efficient means for securing luggage carried on the roof, are fixed on the outside of all four-wheeled carriages.

10. That the floor be covered with rope, rubber, coir mats, or some other proper material.

11. That the cushions of seats are covered with morocco leather or cloth of good quality, and are not stuffed with hay, straw, seaweed, or whalebone shavings.

(Inferior American cloth is not regarded as suitable for coverings.)

12. That the doors, windows, seats, roof, springs, wheels, cushions, linings, panels, &c., and all furniture and appointments of the carriages are in perfect order and repair ; the paint and varnish bright and in good condition, and the inside perfectly clean.

13. That some effectual remedy be adopted to prevent the rattling of window frames and glasses.

14. That no printed, written, or other matter, shall appear on the inside or outside of the carriage by way of advertisement.

15. That no celluloid or xylonite fittings are placed inside.

16. That the horse and harness of the same are in good order and in every respect fit for public use.

17. That a lamp is affixed to the right or " off " side of the carriage. (See further as to lamps, para. 32 of the Order of the Secretary of State at p. 44 *ante*).

Though the above conditions may have been complied with, yet if there be anything in the construction, form, or general appearance which, in the opinion of the Commissioner, renders the carriage unfit for public use, it will not be licensed.

The Commissioner of Police of the Metropolis.

Public Carriage Office,

2nd June, 1906.

The cost of a licence to ply for hire is two pounds.

METROPOLITAN STAGE CARRIAGES.

Notice to Proprietors as to Conditions for obtaining a Certificate of Fitness.

Metropolitan stage carriages must be submitted for inspection in a thoroughly good condition, and no stage carriage will be certified fit for public use unless it is properly painted and varnished. The following conditions must also be strictly complied with.

1. That 16 in., measuring in a straight line, are allowed for each passenger on every seat, which must be fit and proper, and convenient for sitting on.

2. That the number of passengers which the vehicle is licensed to carry is painted legibly on the outside and inside.

3. That the fares are legibly painted on the inside, also the words " Metropolitan Stage Carriage," and the number of the number plate. Tramway cars must have the fares painted both inside and outside.

4. That the words " Metropolitan Stage Carriage," with the number of the number plate, are legibly painted on the outside, behind the carriage, on the near side.

5. That the christian name and surname of proprietor, and the names of extreme places are painted on each side of the carriage, clear of the wheel.

6. That the carriage is suitably lighted inside and outside.

7. That no printed, written, or other matter, shall appear on the inside or outside of the carriage, by way of advertisement, except such, if any, as shall be approved by the Commissioner.

8. That no celluloid or xylonite fittings are placed inside or outside.

9. That there is proper ventilation without opening the windows.

10. That there is sufficient height for each passenger inside when sitting, not less than 40 in. from the seat to the spring of the roof, measuring from the top of the cushion.

11. That the carriage is of sufficient width inside (not less than 54 in. from the back of one seat to the back of the one opposite) to allow persons to pass up and down.

12. Carriages with "cross" or "garden" seats on the roof, must have at least 26 in. clear from the inside back of one seat to the back of the seat in front of it, so that there shall be room for the knees. The backs of all such seats are to be so closed as to prevent the pockets of passengers being picked.

13. That the roof, seats, cushions, linings, panels, &c., are clean and in good repair; the springs, wheels, doors and windows in good repair and working order, and the paint and varnish bright and in good condition.

14. That the steps for getting inside, on roof, &c., are safe and convenient, and that efficient means are provided by rails or straps to assist passengers entering and leaving.

15. That the top guard-rail on roof is at least 10 in. above the level of the seats, and the hand-rail at least 2 ft. 6 in. above the top tread of the staircase or landing-board. There must also be an intermediate guard-rail (where necessary) between the hand-rail and the stringer of the staircase.

16. That some efficient means (battens or otherwise) be provided to raise the feet from the bed of the carriage. Clean straw may be used in wet or cold weather.

17. That the harness and the horses drawing the carriage are in perfect order and in every respect fit for public use.

18. That the cushions of seats are covered with morocco leather or cloth of good quality, and are not stuffed with hay, straw, seaweed or whalebone shavings.

(Inferior American cloth is not regarded as suitable for carriages).

19. All stage carriages must be provided with sufficient brake-power, and tramway cars must in addition have a guard or fender, placed in such a position as to be effective in removing or pushing aside anything that may fall in front of the wheels.

Note.—Though the above conditions may have been complied with, yet if there be anything in the construction, form, or general appearance which, in the opinion of the Commissioner, renders the carriage unfit for public use, it will not be licensed.

The Commissioner of Police of the Metropolis.

Public Carriage Office,
May, 1907.

XVI.—(B) TIMES AND PLACES OF INSPECTION.

P.C.O.,
Form 108.

On and after 1st November, 1921, Cabs and Metropolitan Stage Carriages will be inspected at the undermentioned Police Stations, on the days and between the hours stated below :—

District.	Police Division.	Police Station at which Carriages are Inspected.	Days of Attendance.	Hours.	
				From	To
1	A, that part of B east of the West London Extension Railway, C and D.	Rochester Row .. Ditto ..	Every day except Sunday .. Monday, Tuesday, Thursday and Friday.	8 a.m. 1 p.m.	9.30 a.m. 2.30 p.m.
2	E, G and N.	Hunter Street .. Ditto ..	Every day except Sunday .. Monday, Tuesday, Thursday and Friday.	8 a.m. 1 p.m.	9.30 a.m. 2.30 p.m.
3	X.	Harrow Road .. Ditto ..	Every day except Sunday .. Monday, Tuesday, Thursday and Friday.	8 a.m. 1 p.m.	9.30 a.m. 2.30 p.m.
4	F, with that part of B west of West London Extension Railway.	North Fulham .. Ditto .. Paddington ..	Every day except Sunday .. Monday, Tuesday and Saturday. Tuesday, Wednesday and Saturday	8 a.m. 1 p.m. 10.30 a.m.	9.30 a.m. 2.30 p.m. 12 noon.
5	T.	Paddenswick Rd. Ditto ..	Every day except Sunday .. Monday, Tuesday and Thursday.	8 a.m. 1 p.m.	9.30 a.m. 2.30 p.m.
6	H, J, K and City.	Bow Road .. Ditto ..	Every day except Sunday .. Monday, Tuesday, Thursday and Friday.	8 a.m. 1 p.m.	9.30 a.m. 2.30 p.m.
7	L and M, with Warner Road L.G.O.Co., and Camberwell L.C.C. trams.	Camberwell .. Ditto .. Battersea Bridge Road.	Every day except Sunday .. Monday, Tuesday, Thursday and Friday Monday, Wednesday, and Saturday.	8 a.m. 1 p.m. 8.30 a.m.	9.30 a.m. 2.30 p.m. 10 a.m.
8	P and R.	Peckham .. Ditto .. Belvedere ..	Monday, Wednesday, Thursday, and Saturday Tuesday and Friday .. Second and fourth Thursday	8 a.m. 11 a.m. 12 noon	9.30 a.m. 2 p.m. 1 p.m.
9	Y.	Kentish Town .. Ditto ..	Every day except Sunday .. Monday, Tuesday, Thursday and Friday.	8 a.m. 1 p.m.	9.30 a.m. 2.30 p.m.
10	W and Z.	Brixton .. Ditto .. Croydon ..	Every day except Sunday .. Monday, Tuesday, Thursday and Friday. Tuesday	8 a.m. 1 p.m. 12 noon	9.30 a.m. 2.30 p.m. 1 p.m.
11	V.	Richmond .. Ditto .. Kingston .. Battersea Bridge Road.	Every day except Sunday .. Tuesday and Thursday .. Monday Tuesday, Thursday and Friday.	8 a.m. 1 p.m. 1 p.m. 10.30 a.m.	9.30 a.m. 2.30 p.m. 2 p.m. 12 noon.
12	S.	Golders Green .. Ditto .. Paddington ..	Every day except Sunday .. Tuesday and Friday .. Monday, Thursday, and Friday.	8 a.m. 1 p.m. 10.30 a.m.	9.30 a.m. 2.30 p.m. 12 noon.

N.B.—Special Arrangements will be made for the Inspection of Cabs and Metropolitan Stage Carriages standing at a greater distance than three miles from the nearest Passing Station of the District, on application being made for that purpose to the Superintendent of the Public Carriage Office. The inspection to take place at the Police Station nearest to the yard at which the Carriages stand.

The Commissioner of Police of the Metropolis.

Metropolitan Police Office,
New Scotland Yard, S.W.1.
17th October, 1921.

XVII.—RULES FOR VEHICLES IN THE CITY.

Regulations made the 15th day of November, 1910, by the Court of Mayor and Aldermen of the City of London after the holding of a Public Enquiry in pursuance of Sec 2, Sub-sec. 2, para. A, of the City of London (Street Traffic) Act, 1909.

1. Every metropolitan stage carriage passing eastward through St. Paul's Churchyard, the destination of which is London Bridge or any place south thereof, and every such carriage making the reverse journey, shall proceed direct through Cannon Street.

2. Every metropolitan stage carriage proceeding from St. Paul's Churchyard to Mansion House Street shall proceed by way of Cannon Street and Queen Victoria Street, and every such carriage proceeding from Mansion House Street into St. Paul's Churchyard shall travel by the same route reversed.

3. Every metropolitan stage carriage proceeding from Mansion House Street into Liverpool Street shall proceed by way of Princes Street, Moorgate Street, London Wall and Blomfield Street, direct into Liverpool Street, and on leaving Liverpool Street shall proceed by way of New Broad Street, Old Broad Street and Threadneedle Street.

4. Every metropolitan stage carriage proceeding from Mansion House Street to Bishopsgate Street Within or Bishopsgate Street Without shall proceed by way of Threadneedle Street and Bishopsgate Street Within, and every such carriage proceeding from Bishopsgate Street Without or Bishopsgate Street Within to Mansion House Street shall travel by the same route reversed.

5. Every metropolitan stage carriage proceeding from Bishopsgate Street Without or Bishopsgate Street Within to London Bridge shall proceed by way of Bishopsgate Street Within and Gracechurch Street, and every such carriage proceeding from London Bridge to Bishopsgate Street Within or Bishopsgate Street Without shall proceed by the same route reversed.

6. No metropolitan stage carriage shall enter Liverpool Street from the East end thereof, or Old Broad Street from the south end thereof.

7. Between the hours of eight in the morning and eight in the evening all empty cabs coming from the Great Eastern Railway Station into Liverpool Street shall turn eastwards and pass direct into Bishopsgate Street, and between the same hours all empty cabs coming out of Broad Street Railway Station shall proceed direct into New Broad Street.

8. Between the hours of eight in the morning and eight in the evening no empty cabs shall enter Old Broad Street from Threadneedle Street, or Throgmorton Street from Lothbury, unless previously engaged to take up a passenger.

9. Any person driving or conducting any vehicle into Friday Street between Cheapside and Watling Street between the hours of nine in the morning and six in the evening shall enter from Cheapside and leave by Watling Street, and shall, when loading or unloading such vehicle in Friday Street keep on the west side of the street.

10. Any person driving or conducting any vehicle into Walbrook shall enter from the north end and leave by the south end thereof.

11. Any person driving or conducting any vehicle to Commercial Wharf, or other Wharf, between Swan Lane and Old Swan Lane, shall proceed by way of Swan Lane from Upper Thames Street, and shall return to Upper Thames Street by way of Old Swan Lane; and any person driving or conducting any vehicle to Fishmongers' Hall Wharf or other Wharf between Fishmongers' Hall Street and Swan Lane shall proceed from and return to Upper Thames Street by way of Fishmongers' Hall Street.

Whitehall,
12th April, 1911.

XVIII.—RULES FOR TAKING UP AND SETTING DOWN PERSONS AT THEATRES, &c.

REGULATIONS.

Made by the Commissioner of Police of the Metropolis as to setting down and taking up persons at Theatres and other Public Places.

N.B.—IN ALL CASES SERVANTS ARE TO WAIT WHERE DIRECTED BY THE POLICE.

Adelphi Theatre.

(2nd December, 1909.)

Setting down.

Carriages with company are to be formed in single line close to the kerb on the north side of the Strand, westward of the theatre, keeping clear of all crossings, with the front of vehicles eastward, and having set down are to draw off immediately.

Taking up.

Carriages waiting to take up company are to be formed in single line close to the kerb on the north side of the Strand, westward of the theatre, keeping clear of all crossings, with the front of vehicles eastward.

Aldwych Theatre.

(2nd December, 1909.)

Setting down.

Carriages with company are to form in single line on the north side of Aldwych, keeping clear of all crossings, set down with front of vehicles towards Kingsway, and draw off immediately.

Taking up.

Carriages waiting to take up company are to form in single line, close to the kerb, on the north side of Aldwych, commencing east of Drury Lane, front of vehicles westward and continuing northwards, on west side of Kingsway as far as necessary, keeping clear of all crossings.

Hackney carriages.

Hackney carriages waiting for hire are to form in single line in the centre of Aldwych, with front of vehicles westward, commencing east of Drury Lane, and keeping clear of all crossings.

Alhambra Theatre.

(2nd July, 1909.)

Leicester Square Entrance.

Vehicles with company are to set down facing southwards and draw off the same way. Setting down.

Vehicles waiting to take up company are to form a rank on the east side of the Square, with front of vehicles facing northwards, and take up the same way. Taking up.

Hackney carriages will be supplied from the rank formed on the east side of the Square, parallel with the authorized standing by the enclosure, for Daly's Theatre, with front of vehicles facing northwards. Hackney carriages.

Charing Cross Road Entrance.

Vehicles with company are to set down facing northwards and draw off the same way. Setting down.

Vehicles taking up company are to form a rank on the west side of Charing Cross Road and Bear Street, facing southwards, and take up the same way. Taking up.

Hackney carriages waiting for hire are to form a rank on the west side of Charing Cross Road, with front of vehicles facing northwards, after 10 p.m. to be fed from the rank formed at St. Martin's Place for the Garrick Theatre. Hackney carriages.

Ambassadors Theatre.

(24th September, 1913.)

Vehicles with company are to set down facing southwards and draw off the same way. Setting down.

Vehicles waiting to take up company are to form a rank on the east side of West Street, with front of vehicles facing northwards, and will extend into Upper St. Martin's Lane, Little St. Andrew Street and Great St. Andrew Street. Taking up.

Hackney carriages waiting for hire are to form a rank on the south side of Litchfield Street, with front of vehicles facing the theatre, and extend along the east side of Charing Cross Road, facing northwards. Hackney carriages.

Apollo Theatre.

(2nd July, 1909.)

Vehicles with company are to set down facing eastwards and draw off the same way. Setting down.

Vehicles waiting to take up company are to form a rank in Rupert Street and Little Pulteney Street, and take up with front of vehicles facing westwards. Taking up.

Hackney carriages will be supplied from the rank formed at Shaftesbury Avenue for the Queen's Theatre. Hackney carriages.

The Coliseum.

(5th April, 1909.)

- Setting down. Vehicles are to set down in St. Martin's Lane facing south, and leave by way of St. Martin's Lane to St. Martin's Place.
- Taking up. Private and hackney carriages are to be formed in single line on east side of St. Martin's Lane, front of vehicles facing south; to be fed from the second part formed on the east side of Bedfordbury, and after taking up proceed by way of St. Martin's Lane to St. Martin's Place.

Comedy Theatre.

(9th October, 1909.)

- Setting down. Vehicles with company are to set down facing eastwards, and draw off the same way.
- Taking up. Vehicles waiting to take up company are to form a rank on the south side of Panton Street and Leicester Square, with front of vehicles facing westwards, and draw off the same way.
- Hackney carriages. Hackney carriages will be supplied from the rank formed at Orange Street for the Haymarket Theatre.

Covent Garden Theatre.

(2nd December, 1909.)

- Setting down. Carriages with company going to Bow Street entrances are to be formed in line close to the kerb on the south side of Long Acre and west side of Bow Street, set down with the front of vehicles towards the Strand, and draw off towards Wellington Street.
- Waiting and taking up. Carriages with company going to the entrances in Floral Street are to be formed in the same line as carriages going to the Bow Street entrances, turn into Floral Street, set down with the front of vehicles towards James Street, and draw off by James Street and Covent Garden Market.
- Carriages waiting to take up at Bow Street exits are to be formed in single line, commencing opposite the entrance of Floral Hall in Bow Street, and extending along the centre of Bow Street and Russell Street, north side of carriage-way on south side of Covent Garden Market, thence close to the kerb on north side of Henrietta Street and Chandos Street, keeping clear of all crossings, take up the reverse way to setting down, and draw off by Long Acre.
- Carriages waiting to take up at Floral Street exits are to be formed in line, close to the kerb, at the corner of James Street and Floral Street, along the east side of James Street, and north side of Covent Garden Market, King Street, and Garrick Street, keeping clear of all crossings, take up the reverse way to setting down, and draw off by Bow Street and Long Acre.
- Hackney carriages. Hackney carriages waiting for hire are to be formed in a single line close to the kerb on the west side of Bow Street, commencing opposite the centre of Floral Hall, thence along the north side of Russell Street, east, north, and west sides of Covent Garden Market, east side of St. Paul's Church, and south side of King Street, to take up with front of vehicles north, and draw off by Long Acre.
- No traffic is to be allowed to pass down Bow Street from Long Acre after the general taking up has commenced until the theatre is closed.

No empty carriages are to be allowed to stand in Floral Street until the taking up becomes general, and then only in a single line on the south side.

No empty carriages are to be allowed to stand at or near any of the entrances or exits, except for the necessary time to take up company.

Servants waiting are to remain where directed by Police; other persons are not to be allowed to stand together at or near the entrances or exits so as to obstruct the footways and thoroughfares.

These Regulations do not apply on the occasion of balls held at this theatre.

Criterion Theatre.

(2nd July, 1909.)

Vehicles with company are to set down facing eastwards and draw off the same way. Setting down.

Vehicles waiting to take up company are to form a rank on the east side of Regent Street, with front of vehicles facing northwards, and take up as called, passing away by Piccadilly from the main entrance, and by Haymarket from the Jermyn Street entrance. Taking up.

Hackney carriages will be supplied from the Haymarket hackney carriage standing for the Piccadilly entrance, and from the Regent Street standing, south of Jermyn Street for the Jermyn Street entrance. Hackney carriages.

Daly's Theatre.

(2nd July, 1909.)

Vehicles with company are to set down facing eastwards, and draw off the same way. Setting down.

Vehicles waiting to take up company are to form a rank on the west side of Charing Cross Road north of Little Newport Street, and take up with front of vehicles facing westwards. Taking up.

Hackney carriages waiting for hire are to form a rank on the east side of Leicester Square, parallel with the authorized standing by the enclosure east side of St. Martin's Street, and west side of Whitcomb Street, with front of vehicles facing northwards. Hackney carriages.

Drury Lane Theatre.

(2nd December, 1909.)

Carriages with company going to the entrances in Catherine Street are to enter Catherine Street by Russell Street, and after setting down draw off towards the Strand. Setting down.

Carriages with Company going to the entrances in Russell Street are to enter by the west end of Russell Street, and after setting down draw off into Drury Lane.

Carriages waiting to take up company at the entrances in Catherine Street are to be formed in line close to the kerb, along the south side of Russell Street and Covent Garden Market, with the front of vehicles eastwards, keeping clear of all crossings, and after taking up draw off towards the Strand. Taking up.

Carriages waiting to take up company at the entrances in Russell Street are to be formed in line close to the kerb, on the south side of Russell Street, commencing opposite Crown Court, with the front of vehicles westwards, and extending along the west side of Drury Lane and north side of York Street, keeping clear of all crossings, and after taking up draw off by Bow Street.

Hackney
carriages.

Hackney carriages waiting for hire are to be formed in single line close to the kerb on the north side of Russell Street, commencing opposite Catherine Street, with front of vehicles westwards, and extending along the west side of Drury Lane towards Long Acre, keeping clear of all crossings, and, as required are to join either of the taking up lines of carriages, and so draw off.

No traffic is to be allowed to pass up Catherine Street after the general taking up has commenced until after the theatre is closed. •

No empty carriages except those forming the line are to be allowed to stand in Russell Street after taking up becomes general until after the theatre is closed.

Servants are to wait where directed by Police. Other persons are not to be allowed to stand together at or near the entrances so as to obstruct the footways and thoroughfares.

Duke of York's Theatre.

(10th September, 1914.)

Setting
down.

Vehicles with company are to set down facing northwards, and draw off the same way.

Taking up.

Vehicles waiting to take up company are to form a rank on the west side of St. Martin's Lane, between the Duke of York's Theatre and Cecil Court, and on the east side of Upper St. Martin's Lane, with front of vehicles facing southwards, and take up the same way.

Hackney
carriages.

Hackney carriages will be supplied from the existing rank for the Coliseum Theatre on the east side of St. Martin's Lane.

Empire Theatre.

(2nd July, 1909.)

Setting
down.

Vehicles with company are to set down facing eastwards in Leicester Square and northwards in Leicester Street and draw off the same way.

Taking up.

Vehicles waiting to take up company are to form a rank on the south side of Lisle Street, with front of vehicles facing eastwards, east side of Wardour Street, and south side of Gerrard Street, and take up southwards in Leicester Street and eastwards in Leicester Square.

Hackney
carriages.

Hackney carriages waiting for hire are to stand as follows:—Three vehicles on the north side of Leicester Square between Leicester Street and the theatre facing eastwards, and three vehicles on the east side of Leicester Street between Leicester Square and the entrance to the theatre in Leicester Street facing northwards, both being fed from the rank which will be formed on the west side of Leicester Square parallel with the authorised standing by the enclosure, east side of St. Martin's Street and west side of Whitcomb Street, front of vehicles facing northwards. This will only apply from 10 p.m. until the closing of the theatre. No vehicle will be permitted to remain in front of the theatre in Leicester Square.

Gaiety Theatre.

(2nd December, 1909.)

Carriages with company are to form in single line close to the kerb on the south side of Aldwych, keeping clear of all crossings, set down with front of vehicles towards the Strand, and draw off immediately. Setting down.

Carriages waiting to take up company are to form in single line on the south side of Aldwych, commencing immediately east of the stage door of the theatre, keeping clear of all crossings, with front of vehicles towards Wellington Street. Taking up.

Hackney carriages waiting for hire are to form in single line next the kerb on the north side of the Strand, commencing at the east end of theatre and extending as far as necessary, with front of vehicles westwards, keeping clear of all crossings. Hackney carriages.

Garrick Theatre.

(2nd July, 1909.)

Vehicles with company are to set down facing southwards, and draw off the same way. Setting down.

Vehicles waiting to take up company are to form a rank in Charing Cross Road, with front of vehicles facing southwards, and take up the same way. Taking up.

Hackney carriages waiting for hire are to form a rank on the east side of Charing Cross Road and centre of St. Martin's Place, with front of vehicles facing northwards. Hackney carriages.

Globe Theatre.

(2nd July, 1909.)

Vehicles with company are to set down facing eastwards in Shaftesbury Avenue and northwards in Rupert Street, and draw off the same way. Setting down.

Vehicles waiting to take up company are to form a rank in Upper Rupert Street and Old Compton Street, and take up in Rupert Street with front of vehicles facing southwards. Taking up.

Hackney carriages will be supplied from the rank formed at Shaftesbury Avenue for the Queen's Theatre. Hackney carriages.

Grafton Galleries.

(2nd July, 1909.)

Vehicles with company are to set down facing eastwards and draw off the same way. Setting down.

Vehicles waiting to take up company are to form a rank in Hay Hill and Berkeley Square, take up with front of vehicles facing eastwards, and draw off the same way. Taking up.

Hackney carriages will form a rank in the centre of Albemarle Street, south side of Stafford Street and west side of Old Bond Street, with front of vehicles facing northwards. The first two vehicles to stand in Grafton Street, and take up facing eastwards. Hackney carriages.

Haymarket Theatre.

(2nd July, 1909.)

Setting
down.

Vehicles with company are to set down facing southwards and draw off the same way.

Taking up.

Vehicles waiting to take up company are to form a rank on east side of Haymarket with front of vehicles facing northwards and north side of Pall Mall East facing westwards, and after taking up, pass away by Charles Street westwards or Haymarket northwards.

Hackney
carriages.

Hackney carriages will form a rank on the south side of Orange Street with front of vehicles facing westwards, and take up facing southwards.

Hippodrome. See London Hippodrome.

His Majesty's Theatre.

(2nd July, 1909.)

Setting
down.

Vehicles with company are to set down in the Haymarket, facing southwards, and draw off the same way.

Taking up.

Vehicles waiting to take up company are to form a rank on the south side of Charles Street with front of vehicles facing eastwards and north side of St. James' Square, and take up in the Haymarket, facing southwards.

Hackney
carriages.

Hackney carriages waiting for hire are to form a rank on the west side of Haymarket, north of Charles Street, with front of vehicles facing southwards to opposite Orange Street, and be fed from rank formed there for the Haymarket Theatre.

Horticultural Hall. See Royal Horticultural Hall.

Holborn Empire.

(2nd December, 1909.)

Setting
down.

Carriages with company are to be formed in single line, close to the kerb, on the south side of Holborn, keeping clear of all crossings, with the front of vehicles westward, and having set down are to draw off immediately.

Taking up.

Carriages waiting to take up company are to be formed in single line, close to the kerb, on the south side of Holborn, eastward of the hall, and extending as far as necessary, keeping clear of all crossings, with the front of vehicles westward, and having taken up are to draw off immediately.

Hackney
carriages.

Hackney carriages waiting for hire are to draw off the authorised rank in the centre of the roadway opposite the hall, as required.

Hôtel Métropole, Whitehall Rooms.

(8th March, 1889.)

Carriages with company are to set down with horses' heads towards Northumberland Avenue, and draw off by way of the Avenue, or the Embankment. Setting down.

Carriages waiting to take up company are to be formed in single line on the Embankment, by the Ornamental Gardens, towards Westminster Bridge; are to take up with horses' heads towards Whitehall, and are to draw off by Whitehall Place and Whitehall. Taking up.

Hackney carriages waiting for hire are to be formed in single line, by the kerb stone, by the river foot-path on the Embankment, between Charing Cross and Westminster Bridges, and are to take up and leave as directed for carriages. Hackney carriages.

The hackney carriage ranks in Whitehall Place and on the Embankment may be removed by police when necessary.

The duties of the police are :—

- | | | |
|--------------------------------------------------|---|--------------------------------------------------------------------|
| 1. Front of Whitehall Rooms .. | } | To regulate traffic and prevent obstruction. |
| 2. Corner of Whitehall Place by Hôtel Métropole. | | |
| 3. Top of Whitehall Place in Whitehall. | | To prevent empty cabs and carriages going towards Whitehall Rooms. |
| 4. On Embankment | | To control the carriage ranks. |

Kingsway Theatre.

(2nd December, 1909.)

Carriages with company are to form in single line, close to the kerb, on the north side of Great Queen Street, keeping clear of all crossings with the front of vehicles eastward, and having set down are to draw off immediately. Setting down.

Carriages waiting to take up company are to form in single line, in the centre of Kingsway, from the refuge south of Great Queen Street, front of vehicles northward, and to keep clear of all crossings. Taking up.

Hackney carriages waiting for hire are to be formed in single line, close to the kerb, on the west side of Kingsway, front of vehicles southward, and south side of Parker Street, and to keep clear of all crossings. Hackney carriages.

London Hippodrome.

(2nd July, 1909.)

Vehicles with company are to set down facing eastwards in Cranbourn Street, and northwards in Charing Cross Road, and draw off the same way. Setting down.

Vehicles waiting to take up company are to form a rank on the south side of Little Newport Street and Lisle Street with front of vehicles facing eastwards, and take up facing southwards in Charing Cross Road, and westwards in Cranbourn Street. Taking up.

No vehicle is to stand in Charing Cross Road between Little Newport Street and Cranbourn Street until called from the rank.

Hackney carriages will be supplied from the rank formed at Great Newport Street for Wyndham's Theatre. Hackney carriages.

The London Opera House.

(17th February, 1912.)

Setting
down.

Carriages with company going to Kingsway entrances are to be formed in a line, close to the kerb, on the east side of Kingsway, set down with the front of vehicles facing south, and draw off towards Aldwych.

Waiting and
taking up.

Carriages waiting to take up at Kingsway exits are to be formed in a single line, commencing at junction of Sardinia Street and Kingsway on south side, close to kerb, and continuing on same side round Lincoln's Inn Fields, keeping clear of all crossings, take up same way as setting down, and draw off towards Aldwych.

Hackney
carriages.

Hackney carriages waiting for hire are to be formed in a single line close to the kerb on the north side of Sardinia Street, commencing at the junction of Kingsway and Sardinia Street, thence continued along next the kerb round the south, east, north and west sides of the garden enclosure of Lincoln's Inn Fields, to take up with front of vehicles facing south, and draw off towards Aldwych.

No empty carriages are to be allowed to stand in Kingsway until the taking up becomes general, and then only in a single line on the east side between the main entrance to the Opera House and Sardinia Street.

No empty carriages are to be allowed to stand at or near any of the entrances or exits except for the necessary time to take up or set down company.

The Lyceum.

(2nd December, 1909.)

Setting
down.

Carriages with company are to be formed in single line, close to the kerb on the west side of Wellington Street, with front of vehicles northward, and continued westward along the north side of the Strand, keeping clear of all crossings, and having set down, are to draw off to the north.

Taking up.

Carriages waiting to take up company are to be formed in single line, close to the kerb, on the north side of Exeter Street, keeping clear of all crossings, with the front of vehicles eastward, and after taking up, are to draw off towards the Strand.

Hackney
carriages.

Hackney carriages waiting for hire are to be formed in single line close to the kerb, on the west side of Wellington Street, with the front of vehicles southward, commencing immediately north of Exeter Street, and continue along south side of Tavistock Street, and after taking up, are to draw off towards the Strand.

Lyric Theatre.

(2nd July, 1909.)

Setting
down.

Vehicles with company are to set down facing eastwards, and draw off the same way.

Taking up.

Vehicles waiting to take up company are to form a rank in Denman Street, Sherwood Street, Lower James Street, and Golden Square, and take up with front of vehicles facing eastwards.

Hackney
carriages.

Hackney carriages will be supplied from the rank formed at Shaftesbury Avenue for the Queen's Theatre.

Métropole Hôtel. See Hôtel Métropole.

New Royalty Theatre.

(2nd July, 1909.)

Vehicles with company are to set down facing northwards, and draw off the same way. Setting down.

Vehicles waiting to take up company are to form a rank on the west side of Dean Street, with front of vehicles facing southwards, and after taking up will pass away through Bateman Street eastwards. Taking up.

Hackney carriages waiting for hire are to form a rank on the west side of Dean Street with front of vehicles facing northwards, and north side of Old Compton Street, and after taking up will pass away in the same direction as other vehicles. Hackney carriages.

New Theatre.

(2nd July, 1909.)

Vehicles with company are to set down facing northwards, and draw off the same way. Setting down.

Vehicles waiting to take up company are to form a rank in the centre of Upper St. Martin's Lane and on the east side of Great St. Andrew Street with front of vehicles facing southwards, and take up the same way. Taking up.

Hackney carriages waiting for hire to form a rank on the west side of Upper St. Martin's Lane, and the south-west side of West Street, with front of vehicles facing westwards. Hackney carriages.

Olympia, Hammersmith.

(31st December, 1891.)

Carriages with company will enter by the east gate from Hammersmith Road, keep to the right, with horses' heads westward, and set down at either the doors on the south side (Hammersmith Road) or on the east side (Addison Road) of the building. Setting down.

Empty carriages will pass direct by the private road into Blythe Lane, and form in single rank on west side of the Lane, with horses' heads northward.

Carriages will form in single rank, enter the gate in Blythe Lane, and form on north side or near Minor Hall of the private road. Hackney carriages will form in single rank on the south side of the private road, and all will take up at the Addison Road and Hammersmith Road exit doors, and draw off by the east gate into Hammersmith Road. Taking up.

Not more than 12 hackney carriages will be allowed to remain in the private road at any time, the remainder will wait on the rank at the east side of Blythe Lane.

Painters in Water Colours. See Royal Institute of, &c.

Palace Theatre.

(2nd July, 1909.)

- Setting down. Vehicles with company are to set down facing eastwards in Shaftesbury Avenue, and northwards in Cambridge Circus, and draw off the same way.
- Taking up. Vehicles waiting to take up company are to form a rank in Church Street, and take up with front of vehicles facing southwards at Cambridge Circus, and eastwards (through Greek Street) at the Shaftesbury Avenue entrance.
- Hackney carriages. Hackney carriages waiting for hire are to form a rank in Moor Street, Old Compton Street, and in the centre of Charing Cross Road, between Old Compton Street and Oxford Street, for the Cambridge Circus entrance, and on the west side of Greek Street for the Shaftesbury Avenue entrance, taking up the same way as other vehicles.
-

The Palladium.

(4th March, 1911.)

- Setting down. Vehicles with company are to set down facing southwards, and draw off the same way.
- Taking up. Vehicles waiting to take up company are to form a rank on the east side of Argyll Street, with front of vehicles facing northwards, and take up the same way.
- Hackney carriages. Hackney carriages waiting for hire are to form a rank on the east side of Argyll Street, with front of vehicles facing southwards (keeping clear of the exit of the Central London Tube Railway Station, Oxford Circus), and will take up the same way, to be fed from the standing in Oxford Street.
-

Pavilion Theatre.

(2nd July, 1909.)

- Setting down. Vehicles with company are to set down facing eastwards, and draw off the same way.
- Taking up. Vehicles waiting to take up company are to form a rank in Shaftesbury Avenue, front of vehicles facing westwards, and take up the same way as setting down.
- Hackney carriages. Hackney carriages waiting for hire are to stand as follows: Two vehicles in Piccadilly Circus between Shaftesbury Avenue and the Theatre (keeping clear of the entrance to the Piccadilly Restaurant), and two vehicles outside the County Fire Office to be fed from the rank which will be formed in the centre of Regent Street north of Piccadilly Circus, front of vehicles facing eastwards.
-

The Playhouse.

(2nd December, 1909.)

Carriages with company are to form in single line, close to the kerb, on the north side of Northumberland Avenue, keeping clear of all crossings, set down with the front of vehicles towards the Thames, and draw off immediately. Setting down.

Carriages waiting to take up company are to be formed in single line, next the kerb, opposite the Theatre, extending to the Embankment, keeping clear of all crossings, front of vehicles west, and after taking up draw off by the Embankment or Northumberland Avenue. Taking up.

Hackney carriages waiting for hire are to be formed in single line, close to the kerb, under the Railway Arch commencing next the Theatre, extending to Villiers Street, front of vehicles west, and after taking up draw off by the Embankment or Northumberland Avenue. Hackney carriages.

Prince of Wales' Theatre.

(9th October, 1909.)

Vehicles with company are to set down facing westwards in Coventry Street, and southwards in Oxenden Street, and draw off the same way. Setting down.

Vehicles waiting to take up company are to form a rank on the east side of Oxenden Street, with front of vehicles facing northwards, north side of Pantom Street, west side of Whitcomb Street, and draw off by way of Coventry Street westwards. Taking up.

Hackney carriages waiting for hire are to stand on the west side of Oxenden Street, with front of vehicles facing northwards, and will be fed from the rank formed at Orange Street for the Haymarket Theatre. Hackney carriages.

Queen's Hall, Langham Place, W.

Carriages with company coming from the north are to enter Riding House Street from Great Portland Street and form in single rank, close to the kerb, with the horses' heads westwards; after having set down they will immediately draw off into Portland Place. Setting down.

Carriages with company coming from other directions will form in single rank on the east side of Regent Street and Langham Place, close to the kerb, with horses' heads northwards; and, after having set down, will draw off into Portland Place.

Carriages waiting are to form in double rank along the centre of Portland Place, with horses' heads southwards, and are to pass through Langham Street and Riding House Street, where they will take up and draw off towards Mortimer Street. Taking up.

Hackney carriages will wait for hire on the authorized rank in Regent Street and Langham Place. Hackney carriages.

Queen's Theatre.

(2nd July, 1909.)

- Setting down. Vehicles with company are to set down facing eastwards in Shaftesbury Avenue, and northwards in Wardour Street, and draw off the same way.
- Taking up. Vehicles waiting to take up company are to form a rank in Wardour Street and Old Compton Street, and take up in Wardour Street with front of vehicles facing southwards.
- Hackney carriages. Hackney carriages waiting for hire are to form a rank in the centre of the road at Shaftesbury Avenue with front of vehicles facing westwards from Wardour Street, and on the west side of Frith Street and Soho Square facing southwards.

Royal Horticultural Hall, Vincent Square, S.W.

- Setting down. Carriages with company are to set down with horses' heads facing eastwards, and to draw off same way.
- Taking up. Carriages waiting to take up are to form a rank from a point opposite west end of hall, extend round by railings of Square as far as necessary, and take up same way as setting down.
- Hackney carriages. Hackney carriages will rank from lamp post opposite Elverton Street and extend round by railings of Square as far as necessary.

Royal Institute of Painters in Watercolours.

(2nd July, 1909.)

- Setting down. Vehicles with company are to set down facing westwards, and draw off the same way.
- Taking up. Vehicles waiting to take up company are to form a rank on the south side of Piccadilly with front of vehicles facing eastwards, and take up the same way.
- Hackney carriages. Hackney carriages will be supplied from the Albany standing in the centre of Piccadilly.

*Royalty. See New Royalty Theatre.**St. James' Theatre.*

(25th February, 1915.)

- Setting down. Vehicles with company are to set down facing eastwards, and draw off the same way.
- Taking up. Vehicles waiting to take up company are to form a rank on the south side of King Street and north-west side of St. James' Square, by the enclosure, with front of vehicles facing westwards, and after picking up will draw off by way of St. James' Street, or Bury Street.
- Hackney carriages. Hackney carriages waiting for hire are to form a rank on the south side of King Street, front of vehicles facing eastwards, which will be fed from the standing in St. James' Street, and after picking up will draw off by way of Bury Street, or towards St. James' Square.

St. Martin's Theatre.

(15th November, 1916.)

Vehicles with company are to set down facing southwards, and draw off the same way. Setting down.

Vehicles waiting to take up company are to form a rank on the east side of West Street, with front of vehicles facing northwards, and will extend into Upper St. Martin's Lane, Little St. Andrew Street and Great St. Andrew Street. Taking up.

Hackney carriages waiting for hire are to form a rank on the south side of Litchfield Street, with front of vehicles facing the Theatre, and extend along the east side of Charing Cross Road, facing northwards. Hackney carriages.

Savoy Theatre.

(2nd December, 1909.)

Carriages with company are to set down in Somerset Street, with the front of vehicles west, and then proceed by way of Carting Lane and Savoy Place. Setting down.

Engaged carriages are to be formed in single line on east side of Savoy Hill, front of vehicles north, and continuing along north side of Savoy Place and Victoria Embankment, and after taking up in Somerset Street proceed by way of Carting Lane and Savoy Place. Taking up.

Hackney carriages waiting for hire are to be formed in single line on the north side of Savoy Hill, commencing at Savoy Steps, front of vehicles west, and continuing along west side of Savoy Street, from Savoy Church to the Victoria Embankment, and after taking up in Somerset Street proceed by way of Carting Lane and Savoy Place. Hackney carriages.

Shaftesbury Theatre.

(2nd July, 1909.)

Vehicles with company are to set down facing westwards, and draw off the same way. Setting down.

Vehicles waiting to take up company are to form a rank on the north side of Gerrard Street, with front of vehicles facing eastwards, and take up by way of Greek Street northwards, and Shaftesbury Avenue westwards. Taking up.

Hackney carriages waiting for hire are to form a rank on the south side of Shaftesbury Avenue, between Greek Street and Cambridge Circus (keeping clear of the entrance of the London Salvage Corps Station), and in the centre of Shaftesbury Avenue east of Cambridge Circus, with front of vehicles facing westwards. Hackney carriages.

Strand Theatre.

(2nd December, 1909.)

- Setting down. Carriages with company are to form in single line on the north side of Aldwych, keeping clear of all crossings, set down with front of vehicles towards Kingsway, and draw off immediately.
- Taking up. Carriages waiting to take up company are to form in single line close to the kerb, on east side of Catherine Street, commencing north of the pit entrance of the Theatre, with front of vehicles south, extending along the south side of York Street, keeping clear of all crossings.
- Hackney carriages. Hackney carriages waiting for hire are to form in single line in the centre of Aldwych, with front of vehicles westward, commencing east of the refuge opposite the Theatre, and keeping clear of all crossings.

Vaudeville Theatre.

(2nd December, 1909.)

- Setting down. Carriages with company are to be formed in single line, close to the kerb, on the north side of the Strand, keeping clear of all crossings, with the front of vehicles towards Temple Bar, and having set down are to draw off immediately.
- Taking up. Carriages waiting to take up company are to be formed in single line, close to the kerb, along the north side of the Strand, commencing at No. 400, and continuing along the west side of Southampton Street to Tavistock Street, and on the east side from there to Covent Garden Market, keeping clear of all crossings, with the front of vehicles towards Charing Cross.
- Hackney carriages. Hackney carriages waiting for hire to form, at 10 p.m., in single line on the north side of the Strand, commencing at No. 379, keeping clear of all crossings, with the front of vehicles towards Charing Cross.

*Whitehall Rooms. See Hôtel Métropole.**Wyndham's Theatre.*

(2nd July, 1909.)

- Setting down. Vehicles with company are to be set down facing southwards, and draw off the same way.
- Taking up. Vehicles waiting to take up company are to form a rank on the south side of Cranbourn Street with front of vehicles facing westwards, and east side of Upper St. Martin's Lane, and take up the same way as setting down.
- Hackney carriages. Three vehicles are to stand on the east side of Charing Cross Road, between Cranbourn Street and Great Newport Street, keeping clear of the frontage of the Leicester Square Tube Station, with front of vehicles facing southwards, the remainder to form a rank on the north side of Great Newport Street, west side of Upper St. Martin's Lane and south-west side of West Street.

XIX.—RULES FOR CABS AT STANDINGS.

REGULATIONS FOR DRIVERS AT STANDS FOR CABS.

Published in the *London Gazette* on the 20th May, 1910.

The Commissioner of Police of the Metropolis by virtue of section 4 of the London Hackney Carriage Act, 1850 (13 & 14 Vict. c. 7), has made the following Regulations to be observed by drivers at all standings within the Metropolitan Police Area :—

Regulations.

- (1) The drivers of the first two motor cabs must be with their cabs and ready to be hired at once by any person.
- (2) All cabs on the standing must move up as vacancies occur.
- (3) No motor cab engaged for some future time shall remain on the standing unless willing to accept any intermediate hiring that may be offered.
- (4) No disabled motor cab shall remain on the standing unless such disablement is strictly temporary, and can be, and is, remedied at once. If the disablement is not of such a nature, a notice (in a form to be approved by the Commissioner) must be at once placed on the cab to the effect that it cannot be used, and will be removed for repair.

The following Regulations are also to be observed by drivers at standings provided with "shelters" :—

- (5) A proportion of drivers, not exceeding one-fourth of those actually on the standing, or, if the standing is full, of the total authorized number, may, subject to the reservations hereinafter mentioned, be allowed a time for meals *not exceeding 30 minutes for each driver*.
- (6) Every driver who wishes to avail himself of the "meal time" must obtain from the constable on duty at the standing and place upon his cab a stamped official notice or card showing his cab is not for hire. The period allowed for meals will take effect from the time when the driver receives the official notice or card.
- (7) The drivers must then place their cabs on that portion of the standing set aside for the purpose, the cabs taking position in proper consecutive order.
- (8) As a rule, the number of cabs on the "ordinary" portion of the standing should not fall below the number on the "reserved" portion, and a sufficient number of cabs from the "reserved" portion may be required to move up to the "ordinary" portion though the full period of 30 minutes allowed to the drivers has not expired.

In no case, however, may the number available to the public on the "ordinary" portion be less than one-fourth of the total number actually on the combined portions of the standings, or in any event less than two cabs as provided in Regulation No. 1. The vacancies on the "ordinary" portion are to be filled by the leading cabs on the "reserved" portion unless the driver finds a substitute to move up for him.

- (9) A driver desiring to place his cab on a standing is entitled to a vacant place on the "ordinary" portion of it, and to precedence for hire over the drivers of the cabs on the "reserved" portion.
- (10) Each driver who obtains the stamped official notice or card from the constable, must himself return it to the constable, and may on no account transfer or lend it to another person.
- (11) For the purpose of the Regulations a "shelter" is deemed to be a recognized temporary building or other structure at or near a standing to which cab drivers only have the right of access and at which food is provided for the drivers who resort thereto.

The Commissioner of Police of the Metropolis.

Metropolitan Police Office,
New Scotland Yard, S.W.
17th May, 1910.

XX.—MOTOR VEHICLES, EXCISE DUTIES.

Finance Act, 1920.

10 & 11 Geo. 5, c. 18.

Duty on
licences for
mechanically
propelled
vehicles.

13.—(1) Any excise duty which is chargeable at the commencement of this Act in respect of any vehicle which is chargeable with duty as a mechanically propelled vehicle under this section shall cease to be chargeable as from the 1st January, 1921, and on and after that date there shall be charged, levied, and paid in Great Britain and Ireland, in respect of mechanically propelled vehicles used on public roads, duties of excise at the rates specified in the Second Schedule to this Act.

(2) The duties charged under this section shall be paid annually upon licences to be taken out by the person keeping the vehicle:—

Provided that—

(a) *a licence may be taken out in respect of any mechanically propelled vehicle (other than a cycle, or tramcar, or a vehicle on which a duty of five shillings is chargeable under this section) for one-quarter of the year only beginning on the 1st January, the 25th March, the 1st July, or the 1st October, and in the case of any licence so taken out the duty shall be 30 per cent. of the full annual duty; and*

(b) where a person commences to keep or use a cycle or tramcar on and after the 1st October in any year, he shall, on delivering a declaration in writing signed by him to that effect, be entitled to take out a licence for that vehicle on payment of one-half of the full annual duty.

(3) The unit of horse-power for the purpose of any rate of duty under the Second Schedule to this Act shall be calculated in accordance with regulations made by the Minister of Transport for the purpose.

[*Note.*—The words in *s. 13* above are repealed by *s. 22* of the Finance Act, *see* Page 96.]

SECOND SCHEDULE.

DUTIES ON MECHANICALLY PROPELLED VEHICLES.

Description of Vehicle.	Rate of Duty
-------------------------	--------------

1. Cycles (including motor scooters and cycles with an attachment for propelling the same by mechanical power) not exceeding 8 cwt. in weight unladen :—

Bicycles—

Not exceeding 200 lbs. in weight unladen	£1 10s.
--------------------------------------------------	---------

Exceeding 200 lbs. in weight unladen	£3 0s.
----------------------------------------------	--------

If used for drawing a trailer or side-car, an additional sum of £1.

Tricycles	£4 0s.
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2. Vehicles (including cycles with an attachment for propelling the same by mechanical power) not exceeding 5 cwt. in weight unladen adapted and used for invalids £0 5s.

*3. Vehicles being hackney carriages as defined in section 4 of the Customs and Inland Revenue Act, 1888 :—

	In the Metropolitan Police area and such other districts as the Minister of Transport may fix.	In all other districts.
Tramcars	15s.	15s.
Other vehicles :		
Seating not more than 6 persons	£15	£12
Seating more than 6 but not more than 14 persons.	£30	£24
Seating more than 14 but not more than 20 persons.	£45	£36
Seating more than 20 but not more than 26 persons.	£60	£48
Seating more than 26 but not more than 32 persons.	£72	£60
Seating more than 32 persons	£84	£70

In this paragraph the number of persons mentioned does not include the driver of the vehicle.

Roads Act, 1920, 10 & 11 GEO. 5, c. 72.

For the purpose of section 13 of the Finance Act, 1920, and the second schedule to that Act, the expression "vehicle" shall not include any vehicle used on tram lines except a tramcar used for the conveyance of passengers. Section 8 (1).

Where a hackney carriage is a vehicle of the class mentioned in paragraph 1 or paragraph 2 of the Second Schedule of the Finance Act, 1920, it shall be charged with duty under paragraph 1 or paragraph 2 as the case may be, and not under paragraph 3 of that Schedule. Section 8 (4).

* This definition is "any carriage standing or plying for hire and includes any carriage let for hire by a coachmaker or other person whose trade or business it is to sell carriages or to let carriages for hire, provided that such carriage is not let for a period amounting to three months or more."

Finance Act, 1921, 11 & 12 GEO. 5, c. 32.

Power to
issue licences
for
mechanically
propelled
vehicles for
periods less
than a year.

S. 22 (1). On and after the first day of January, nineteen hundred and twenty two, licences under the Finance Act, 1920, in respect of mechanically propelled vehicles (other than tramcars or vehicles on which a duty of five shillings is chargeable under that Act) may be taken out for such periods of the year and on payment of duty at such rate, as the Minister of Transport may by order prescribe.

Provided that—

- (a) every rate of duty prescribed under this section in respect of a licence taken out for any vehicle for any period of the year shall be such as to bear to the full annual duty chargeable in respect of that vehicle no less proportion than the period for which the licence is taken out bears to a year; and
 - (b) the rate of duty so prescribed in respect of a licence for any vehicle to which proviso (a) to subsection (2) of section 13 of the Finance Act, 1920, applies for any such period as is mentioned in that proviso shall not exceed thirty per cent. of the full annual duty, and the rate prescribed in respect of the licence for a cycle taken out on or after the first day of October in any year shall not exceed one half of the full annual duty.
- (2). Proviso (a) to subsection (2) of section 13 of the Finance Act, 1920, and the words "cycle or" in proviso (b) to the said subsection are hereby repealed.
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